

OFFICIAL JOURNAL  
OF THE  
**SENATE**  
OF THE  
STATE OF LOUISIANA

**TWENTY-FOURTH DAY'S PROCEEDINGS**

**Thirtieth Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Wednesday, May 12, 2004

The Senate was called to order at 1:30 o'clock P.M., by Hon.  
Donald E. Hines, President of the Senate.

**ROLL CALL**

The roll being called, the following members answered to their  
names:

**PRESENT**

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—39		

**ABSENT**

Total—0

The President of the Senate announced there were 39 Senators  
present and a quorum.

**Prayer**

The prayer was offered by Senator Adley, following which the  
Senate joined in pledging allegiance to the flag of the United States of  
America.

**Reading of the Journal**

On motion of Senator Adley, the reading of the Journal was  
dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Privilege Report of the**

**Legislative Bureau**

May 12, 2004

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following  
report:

The following bills are approved as to construction and  
duplication.

**HOUSE BILL NO. 272—**

BY REPRESENTATIVES DURAND, THOMPSON, SALTER, JOHN  
SMITH, STRAIN, TOOMY, CURTIS, DOERGE, DORSEY, GRAY, E.  
GUILLORY, M. GUILLORY, KATZ, MARCHAND, McDONALD,  
STRAIN, WADDELL, WALKER, WINSTON, ALEXANDER,  
ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR,  
BEARD, BROOME, BRUCE, BURNS, BURRELL, K. CARTER, R.  
CARTER, CAZAYOUX, CROWE, DAMICO, DANIEL, DARTEZ,  
DEWITT, DOVE, DOWNS, ERDY, FANNIN, FARRAR, FAUCHEUX,  
FLAVIN, FRITH, FUTRELL, GALLOT, GLOVER, HEATON, HEBERT,  
HILL, HONEY, HOPKINS, HUNTER, JACKSON, JEFFERSON,  
KENNEY, LAFLEUR, MARTINY, MCVEA, MONTGOMERY,  
MURRAY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T.  
POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO,  
SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH,  
ST. GERMAIN, TOWNSEND, TRICHE, TUCKER, AND WRIGHT  
AND SENATORS BARHAM, HINES, JONES, MCPHERSON, AND  
SCHEDLER

**AN ACT**

To amend and reenact R.S. 36:801.1(A) and to enact R.S. 36:259(J)  
and Chapter 34 of Title 40 of the Louisiana Revised Statutes of  
1950, to be comprised of R.S. 40:2841 through 2846, relative to  
the Louisiana Emergency Response Network (LERN); to  
provide for statement of purpose; to provide for definitions; to  
provide for the creation of the Louisiana Emergency Response  
Network; to provide for the board and its membership,  
appointments, terms of office, vacancies, meetings,  
compensation, functions, powers, and duties; to provide for  
rules and regulations; to provide for an effective date; and to  
provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 277—**

BY REPRESENTATIVE ALARIO

**AN ACT**

To amend and reenact R.S. 39:100.1(C), relative to the Sports  
Facility Assistance Fund; to provide for the use of monies in the  
fund; to provide for monies in the fund to be appropriated to the  
FORE Kids Foundation, Inc.; to provide for an effective date;  
and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 466—**

BY REPRESENTATIVE ALARIO

**AN ACT**

To amend and reenact R.S. 49:327(B)(1)(d), relative to the  
investment of state funds; to provide for competitive bidding for  
time certificate of deposit and share accounts; to provide for an  
effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 467—**BY REPRESENTATIVES ALARIO AND HEATON  
AN ACT

To amend and reenact R.S. 39:1366(4), relative to the duties of the state treasurer; to authorize the state treasurer to make certain payments; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 668—**BY REPRESENTATIVES MONTGOMERY AND DANIEL  
AN ACT

To enact R.S. 30:148.1.1, relative to underground storage of hydrocarbons; to define reservoir; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1125—**BY REPRESENTATIVE DAMICO  
AN ACT

To enact R.S. 40:4.12, relative to sanitation; to provide for alternative methods of identification of potable and nonpotable water distribution equipment, piping, and outlets; to provide for a qualifying potable water distribution plan; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1387—**BY REPRESENTATIVES JOHNS AND SCHNEIDER  
AN ACT

To amend and reenact R.S. 47:2101(A)(3), relative to the payment of ad valorem taxes; to provide that interest shall not be assessed if the payment was timely made; and to provide for related matters.

Reported without amendments.

Respectfully submitted,  
ARTHUR J. "ART" LENTINI  
Chairman

**Adoption of Legislative Bureau Report**

On motion of Senator Lentini, the Bills and Joint Resolutions were read by title and passed to a third reading.

**Introduction of Resolutions,  
Senate and Concurrent**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 79—**

BY SENATOR MICHOT

## A RESOLUTION

To designate May 12, 2004 as "Junior Achievement Day" at the Senate.

On motion of Senator Michot, the resolution was read by title and adopted.

**SENATE CONCURRENT RESOLUTION NO. 103—**

BY SENATOR MICHOT

## A CONCURRENT RESOLUTION

To designate May 12, 2004 as "Junior Achievement Day" at the legislature.

The resolution was read by title. Senator Michot moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

## YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Marionneaux
Amedee	Fields	Michot
Barham	Fontenot	Mount
Boissiere	Gautreaux, B	Nevers
Cain	Gautreaux, N	Romero
Chaisson	Hainkel	Schedler
Cravins	Holden	Smith
Dardenne	Irons	Theunissen
Duplessis	Jones	Ullo
Total—30		

## NAYS

Total—0

## ABSENT

Bajoie	Heitmeier	Kostelka
Boasso	Hollis	Malone
Cheek	Jackson	McPherson
Total—9		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 104—**

BY SENATOR HOLDEN

## A CONCURRENT RESOLUTION

To urge and request the Louisiana Community & Technical College System to study the feasibility of adoption of the Ohio University "Skills Max" program which was created to incorporate assessments with job-matching opportunities.

The resolution was read by title. Senator Holden moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

## YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Marionneaux
Amedee	Fields	Michot
Barham	Fontenot	Mount

May 12, 2004

Boissiere	Gautreaux, B	Nevers
Cain	Gautreaux, N	Romero
Chaisson	Hainkel	Schedler
Cravins	Holden	Smith
Dardenne	Irons	Theunissen
Duplessis	Jones	Ullo
Total—30		

NAYS

Total—0

ABSENT

Bajoie	Heitmeier	Kostelka
Boasso	Hollis	Malone
Cheek	Jackson	McPherson
Total—9		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

### Messages from the House

The following Messages from the House were received and read as follows:

#### Message from the House

#### ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 12, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

#### HOUSE BILL NO. 821—

BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact R.S. 23:1163(B) and to enact R.S. 23:1163(D), relative to workers' compensation; to provide for civil penalties against employers; to provide for exceptions; and to provide for related matters.

#### HOUSE BILL NO. 1215—

BY REPRESENTATIVES LAFLEUR AND CAZAYOUX  
AN ACT

To amend and reenact R.S. 42:1157(A)(4) and to enact R.S. 42:1114.2, relative to ethics; to require the disclosure of certain expenditures of certain persons having or seeking certain relationships with a state or statewide public retirement system; to provide for enforcement; to provide for penalties; and to provide for related matters.

#### HOUSE BILL NO. 1436—

BY REPRESENTATIVES BRUNEAU, DEWITT, AND THOMPSON  
AN ACT

To amend and reenact R.S. 42:1102(2)(a)(ii) and (iii), relative to the definition of agency for purposes of the Code of Governmental Ethics; to provide for the definition of agency for public

servants in the office of the governor; to provide for the definition of the agency of public servants in the office of the lieutenant governor; and to provide for related matters.

#### HOUSE BILL NO. 1474—

BY REPRESENTATIVES DOVE AND BALDONE  
AN ACT

To amend and reenact R.S. 17:3351(A)(5)(b)(iii), to provide relative to tuition and mandatory attendance fee amounts established by the Board of Supervisors of Community and Technical Colleges and applicable to students enrolled in certain technical community colleges under the board's supervision and management; to provide limitations; to require certain reports; to provide for an effective date; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

### House Bills and Joint Resolutions on First Reading

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

#### HOUSE BILL NO. 821—

BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact R.S. 23:1163(B) and to enact R.S. 23:1163(D), relative to workers' compensation; to provide for civil penalties against employers; to provide for exceptions; and to provide for related matters.

The bill was read by title; lies over under the rules.

#### HOUSE BILL NO. 1215—

BY REPRESENTATIVES LAFLEUR AND CAZAYOUX  
AN ACT

To amend and reenact R.S. 42:1157(A)(4) and to enact R.S. 42:1114.2, relative to ethics; to require the disclosure of certain expenditures of certain persons having or seeking certain relationships with a state or statewide public retirement system; to provide for enforcement; to provide for penalties; and to provide for related matters.

The bill was read by title; lies over under the rules.

#### HOUSE BILL NO. 1436—

BY REPRESENTATIVES BRUNEAU, DEWITT, AND THOMPSON  
AN ACT

To amend and reenact R.S. 42:1102(2)(a)(ii) and (iii), relative to the definition of agency for purposes of the Code of Governmental Ethics; to provide for the definition of agency for public servants in the office of the governor; to provide for the definition of the agency of public servants in the office of the lieutenant governor; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1474—**BY REPRESENTATIVES DOVE AND BALDONE  
AN ACT

To amend and reenact R.S. 17:3351(A)(5)(b)(iii), to provide relative to tuition and mandatory attendance fee amounts established by the Board of Supervisors of Community and Technical Colleges and applicable to students enrolled in certain technical community colleges under the board's supervision and management; to provide limitations; to require certain reports; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

**House Bills and Joint Resolutions  
on Second Reading to be Referred**

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

**HOUSE BILL NO. 257—**BY REPRESENTATIVE CRANE  
AN ACT

To amend and reenact R.S. 17:3022(A)(1)(introductory paragraph) and 3093(B)(2), relative to the membership of the Louisiana Student Financial Assistance Commission; to increase the membership of the Louisiana Student Financial Assistance Commission; to provide relative to commission members serving on the Louisiana Tuition Trust Authority; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Education.

**HOUSE BILL NO. 345—**BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 22:173.1(C)(1)(c), relative to annuities; to provide for interest rates; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

**HOUSE BILL NO. 349—**BY REPRESENTATIVES HEBERT, K. CARTER, ERDEY,  
FAUCHEUX, JACKSON, MORRISH, GARY SMITH, TOWNSEND,  
TUCKER, AND WALSWORTH  
AN ACT

To amend and reenact R.S. 22:636.2(D), relative to property, casualty, and liability insurance; to provide for claims; to provide for homeowners' policies; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

**HOUSE BILL NO. 356—**BY REPRESENTATIVE MARTINY  
AN ACT

To enact R.S. 14:90.5, relative to offenses affecting general morality; to create the crime of unlawful play of certain gaming devices by persons under the age of twenty-one; to provide for definitions;

to provide for penalties; to provide for detention for questioning; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

**HOUSE BILL NO. 382—**BY REPRESENTATIVE E. GUILLORY  
AN ACT

To enact R.S. 18:463(E), relative to the qualifying of candidates for elected office; to require the Board of Ethics to work with the attorney general to provide information to any candidate who qualifies for elective office summarizing provisions of law regarding dual officeholding, conflicts of interest, and prohibited transactions, payments, contracts, and employment applicable to public officials; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 486—**BY REPRESENTATIVE MCDONALD  
AN ACT

To amend and reenact R.S. 17:3098(B)(2) and to repeal R.S. 17:3095(A)(1)(c), relative to the Louisiana Tuition Trust Authority; to provide for the payment of refunds upon termination of an education savings account; to repeal the requirement that education savings accounts shall be invested in either fixed earnings or variable earnings, but not both; to provide for an effective date; and to provide for related matters

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Education.

**HOUSE BILL NO. 523—**BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 22:1193(G) and (I)(2), relative to insurance agents; to provide with respect to continuing education requirements and exemptions from such requirements; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

**HOUSE BILL NO. 736—**BY REPRESENTATIVE LAFLEUR  
AN ACT

To amend and reenact R.S. 56:31 and 31.1, relative to class one violations; to provide for penalties for class one violations of the hunting and fishing laws; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

**HOUSE BILL NO. 1053—**BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 22:39(D), relative to domestic insurers; to provide for securities; to provide for brokerage accounts; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

**HOUSE BILL NO. 1146—**

BY REPRESENTATIVES LAFLEUR AND HUDSON  
AN ACT

To amend and reenact R.S. 34:1451(A)(1)(a), (b), and (c), relative to the Greater Krotz Springs Port Commission; to provide with respect to the residency requirements of certain members of the Greater Krotz Springs Port Commission; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 1217—**

BY REPRESENTATIVE DURAND  
AN ACT

To enact R.S. 40:2006(A)(2)(n) and Part VII-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2192 through R.S. 40:2192.4, relative to pediatric day health care facilities; to provide for licensing; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Health and Welfare.

**HOUSE BILL NO. 1264—**

BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 13:3715.1(J), relative to medical records; to provide for the exemption of the State Board of Physical Therapy Examiners from the requirement to subpoena medical records through notice or affidavit; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Health and Welfare.

**HOUSE BILL NO. 1271—**

BY REPRESENTATIVE DEWITT  
AN ACT

To amend and reenact R.S. 11:62(introductory paragraph) and (5)(c) and R.S. 24:36(A), relative to employees of the state legislature who are members of the Louisiana State Employees' Retirement System; to provide for an increase in the employee contribution rate and accrual rate for certain members of the system; to provide for leave conversion for legislative employees; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Retirement.

**HOUSE BILL NO. 1514—**

BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 22:1410(I) and to enact R.S. 22:1401.1, relative to rates for commercial lines of property and casualty insurance; to provide for file and use; to provide for the office of property and casualty; to provide for procedures; to provide for rules and regulations; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

**HOUSE BILL NO. 1579—**

BY REPRESENTATIVE JACK SMITH  
AN ACT

To enact R.S. 26:71.1(4)(d) and R.S. 27:306(A)(8), relative to the operation of video draw poker devices at certain golf courses; to provide with respect to the licensing requirements for the operation of video draw poker devices at certain golf courses; to provide relative to the sale of alcoholic beverages at certain golf courses; to provide for the issuance of a conditional alcoholic beverage permit to certain golf courses; to provide for the continued operation of video draw poker devices at certain golf courses; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

**HOUSE BILL NO. 1637—**

BY REPRESENTATIVES STRAIN AND SMILEY  
AN ACT

To enact R.S. 32:774.1, relative to used motor vehicles; to prohibit the sale of used motor vehicles by certain unlicensed dealers; to provide for penalties; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 1699 (Substitute for House Bill No. 614 by Representative Ansardi)—**

BY REPRESENTATIVE ANSARDI  
AN ACT

To amend and reenact Civil Code Articles 2036 and 2037 and to repeal Chapter 7 of Code Title IV of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:2790.1 through 2790.12, relative to civil actions; to provide relative to insolvency and the revocatory action; to repeal the Uniform Fraudulent Transfer Act; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**HOUSE BILL NO. 1700 (Substitute for House Bill No. 1130 by Representative Daniel)—**

BY REPRESENTATIVE DANIEL  
AN ACT

To enact R.S. 47:1837.1, relative to the Louisiana Tax Commission; to establish a pilot program for creation of a statewide ad valorem tax assessment database for publication on the Internet; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 1701 (Substitute for House Bill No. 1019 by Representative Durand)—**

BY REPRESENTATIVE DURAND  
AN ACT

To amend and reenact R.S. 49:1001, 1002(I), and 1005 and to repeal R.S. 49:1006, 1007, and 1008, relative to drug testing; to provide for changes in definitions; to provide for changes in references from the National Institute on Drug Abuse to Substance Abuse and Mental Health Services Administration; to provide for the application of the chapter; to provide for the use of certified laboratories for drug testing of samples collected; to repeal provisions relative to drug testing procedures and standards; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Health and Welfare.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**INSURANCE**

Senator Cain, Chairman on behalf of the Committee on Insurance, submitted the following report:

May 12, 2004

To the President and Members of the Senate:

I am directed by your Committee on Insurance to submit the following report:

**SENATE BILL NO. 549—**  
BY SENATOR IRONS

AN ACT

To enact R.S. 22:215.26, relative to health insurance; to provide for coverage for the treatment of certain medically necessary substance related disorders; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 553—**  
BY SENATOR DUPRE

AN ACT

To enact R.S. 22:1430.18, relative to property insurance; to provide certain requirements for coverage and issuance of property insurance by the Louisiana Citizens Property Insurance Corporation; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 844—**  
BY SENATOR FONTENOT

AN ACT

To enact R.S. 42:851.1, relative to health insurance; to authorize reimbursement to public officials for certain health insurance premiums; and to provide for related matters.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 8—**

BY REPRESENTATIVE FAUCHEUX  
A CONCURRENT RESOLUTION

To urge and request the Department of Insurance to pursue with certain exceptions the insurance regulatory modernization action plan formulated by the National Association of Insurance Commissioners.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 36—**  
BY REPRESENTATIVE BOWLER

A CONCURRENT RESOLUTION

To urge and request the state legislatures in the United States to oppose legislation to participate in the Interstate Insurance Product Regulation Compact.

Reported favorably.

**HOUSE BILL NO. 1424—**

BY REPRESENTATIVES BOWLER AND TUCKER  
AN ACT

To repeal R.S. 22:1382(A)(3)(d), relative to the Louisiana Insurance Guaranty Association; to provide for refund monies; to delete certain deposit requirements.

Reported favorably.

Respectfully submitted,  
JAMES DAVID CAIN  
Chairman

**Senate Bills and Joint Resolutions  
on Second Reading  
Reported by Committees**

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

**SENATE BILL NO. 146—**

BY SENATOR ELLINGTON  
AN ACT

To amend and reenact R.S. 9:2801.2, relative to partition of community property; to provide for the valuation of goodwill as an asset in the partition of community property for certain businesses; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 146 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 9, after "valuation of" change "a community commercial" to "~~a community commercial~~ **any community owned corporate, commercial, or professional**"

AMENDMENT NO. 2

On page 1, delete lines 10 through 12 in their entirety and insert the following: "~~Goodwill shall not be included in the valuation of a~~"

business when goodwill results solely from the identity, reputation, or qualifications of the owner or from his relationship with customers of the business. **However, that portion of the goodwill attributable to any personal quality of the spouse awarded the business shall not be included in the valuation of a business.**"

On motion of Senator Lentini, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 190—**  
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 9:203, relative to marriage officiants, judges and justices of the peace; to extend the authority for a federal judge to preside over a marriage ceremony until December, 2004; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 190 by Senator Lentini

**AMENDMENT NO. 1**

On page 1, line 2, after "R.S. 9:203" add "(E)"

**AMENDMENT NO. 2**

On page 1, line 3, change "a federal judge" to "certain federal judges"

**AMENDMENT NO. 3**

On page 1, line 6, after "R.S. 9:203" add "(E)"

**AMENDMENT NO. 4**

On page 1, line 9, after "E." add "(1)"

**AMENDMENT NO. 5**

On page 1, line 17, change "Subsection" to "Paragraph" and at the end of the line, change "2003~~4~~" to "2003"

**AMENDMENT NO. 6**

On page 1, after line 17, add the following:

**"(2) A judge of a court of the United States whose official duty station includes a municipality having a population in excess of four hundred and seventy thousand according to the latest decennial census may perform marriage ceremonies within his official duty station. The authority granted by this Paragraph shall terminate on December 31, 2004.**

**(3) A judge of the court of the United States whose official duty station includes the state capital may perform marriage ceremonies within his official duty station. The authority granted by this Paragraph shall terminate on December 31, 2004."**

On motion of Senator Lentini, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 226—**

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 35:12(A), (B), and (D), relative to notaries public; to provide relative to names required on notarial acts; to authorize the use of initials; to provide that such names need not necessarily be Christian names; to authorize the use of stamps for the application of such names; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 226 by Senator Dardenne

**AMENDMENT NO. 1**

On page 1, delete lines 11 through 17 and add the following in lieu thereof:

"A. **(1)** Notaries shall insert in their acts the Christian names of the parties in full and not their initial letters alone, **or the full names of the parties and not their initial letters alone,** together with the permanent mailing addresses of the parties, and shall print or type the full names of the witnesses and of themselves under their respective signatures.

**R.S. 35:12(A)(2) is all proposed new law.**

(2) For the purposes of this Section, a full name shall include at least one given name and other initials in addition to the surname. It may be any combination of first name and middle initial or initials, if any, and the surname; or the first initial and at least one middle name and the surname; or the complete first and middle name or names and the surname. The notary shall type, print, or stamp his or her name as it appears on his or her commission."

On motion of Senator Lentini, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 320—**

BY SENATOR FIELDS

AN ACT

To enact R.S. 13:847(G) and to repeal R.S. 13: 847(E)(1)(c) and (d), R.S. 13:847(F) and R.S. 44:9(A)(3), relative to criminal records; to prohibit the collection of a filing or processing fee for the expungement of criminal records in certain cases; to repeal the authority to collect a filing or processing fee of expungement in certain cases; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 320 by Senator Dardenne

**AMENDMENT NO. 1**

On page 1, line 11, before "Whenever" insert "G."

**AMENDMENT NO. 2**

On page 1, line 15, after "record." insert "The provisions of this Subsection shall not apply to any dismissal, suspension or deferral

of sentence authorized in Code of Criminal Procedure Articles 893 and 894."

On motion of Senator Chaisson, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 330—**  
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 13:964.1(A)(2)(a), (B), and (D) and to enact R.S. 13:964.1(E), relative to courts; to provide relative to the Fourteenth Judicial District Court; to provide relative to the indigent transcript fund for such court; to increase the amount of court reporters fees paid from such fund; to provide relative to tasks for which court reporters shall be compensated from such fund; to provide with regard to the nature of the compensation paid to court reporters from such fund; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 330 by Senator Mount

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 13:964.1(A)(2)(a)" delete ", (B),"

AMENDMENT NO. 2

On page 1, at the end of line 4, delete "to increase the amount"

AMENDMENT NO. 3

On page 1, at the beginning of line 5, delete "of court reporters fees paid from such fund;"

AMENDMENT NO. 4

On page 1, line 11, after "R.S. 13:964.1(A)(2)(a)" delete ", (B)," and on line 12, change "13:964(E)" to "13:964.1 (E)"

AMENDMENT NO. 5

On page 2, delete lines 3 through 8

On motion of Senator Lentini, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 338—**  
BY SENATOR ADLEY (By Request)

AN ACT

To amend and reenact R.S. 30:2030(A)(1) and (B) and to enact R.S. 30:2030(D), relative to environmental quality; to authorize the classification of security sensitive and personal identification information as confidential; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Environmental Quality to Original Senate Bill No. 338 by Senator Adley

AMENDMENT NO. 1

On page 1, line 2, between "2030(D)" and the comma "," insert "and (E)"

AMENDMENT NO. 2

On page 1, line 6, change "2030 is" to "2030(A)(1) and (B) are"

AMENDMENT NO. 3

On page 1, line 6, between "reenacted" and "to" insert "and R.S. 30:2030(D) and (E) are hereby enacted"

AMENDMENT NO. 4

On page 2, line 5, after "surrounding area." delete "Security sensitive information shall"

AMENDMENT NO. 5

On page 2, delete lines 6 through 17

AMENDMENT NO. 6

On page 3, between lines 22 and 23 insert the following:

**"R.S. 30:2030(E) is all proposed new law.**

E. No information may be deemed confidential if it is required by federal or state law to be available to the public."

On motion of Senator Fontenot, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 359—**  
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 40:1299.41(A)(7), (8) and (9), (E)(1), and (I), 1299.42(B)(1) and (2), 1299.44(A)(6)(a), 1299.45(A)(1) and (2), 1299.47(A)(1)(c), 1299.47(A)(2)(a) and (b), and 1299.47(C)(3)(f); relative to the Louisiana Medical Malpractice Act; to provide with respect to claims covered under the Act; to provide that health care providers qualified under the Act are not liable for more than one hundred thousand dollars plus interest and cost; to provide that the patient's compensation fund shall be maintained so as to provide a surplus of thirty percent of the annual surcharge premiums, reserves established for individual claims, reserves established for incurred but not reported claims, and expenses; to provide with respect to a corporation, partnership, limited liability partnership, or limited liability company that desires to be qualified as a health care provider, with the payment of an additional surcharge, and the filing of a proof of financial responsibility with the board; to provide with respect to certain filing fees in connection with the naming of additional qualified defendants named in any amendment to the request for review; to provide that all amendments to a request for review shall be filed with the division of administration and that upon receipt of any amendment, the division of administration is required to forward the amendment to the Patient's Compensation Fund Oversight Board within five days; to provide with respect to membership on a medical review panel; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

## SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 359 by Senator Hines

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line, delete lines 3 through 7, and insert "R.S. 40:1299.44(A)(3)(b) and (6)(a), 1299.45(A)(2), and 1299.47(A)(2)(a) and (b) and (C)(3)(f), and to enact R.S. 40: 1299.47(A)(1)(g) and (C)(3)(g), (h), (i), and (j), relative to the Louisiana Medical Malpractice Act; to provide with respect to claims covered under the Act; to provide that the patient's compensation fund shall"

AMENDMENT NO. 2

On page 2, delete lines 5 through 8 and insert the following:

"Section 1. R.S. 40:1299.44(A)(3)(b) and (6)(a), 1299.45(A)(2), and 1299.47(A)(2)(a) and (b) and (C)(3)(f) are hereby amended and reenacted and R.S. 40: 1299.47(A)(1)(g) and (C)(3)(g), (h), (i), and (j) are hereby enacted to read as follows:"

AMENDMENT NO. 3

On page 2, delete lines 9 through 29 and on page 3, delete lines 1 through 29 and on page 4, delete lines 1 through 3

AMENDMENT NO. 4

On page 4, between lines 5 and 6, insert the following:

"(3)(a) \* \* \*

(b) It shall be the duty of the insurer, risk manager, or surplus line agent to remit the surcharge to the patient's compensation fund within forty-five days of the date of payment by the health care provider. Failure of the insurer, risk manager, or surplus line agent to remit payment within forty-five days shall subject the insurer, risk manager, or surplus line agent to a penalty, the amount of which will be set by the board on an annual basis, not to exceed a total of twelve percent of the annual surcharge and all reasonable attorney's fees. Upon the failure of the insurer, risk manager, or surplus line agent to remit as provided herein, the board is authorized to institute legal proceedings if necessary to collect the surcharge, together with penalties any penalty amount to be assessed, legal interest, and all reasonable attorney's fees.

\* \* \*

AMENDMENT NO. 5

On page 4, line 6, after "(a)" delete the remainder of the line, delete lines 7 through 9, and insert in lieu thereof "~~If the fund exceeds the sum of fifteen million dollars at the end of any calendar year after the payment of all claims and expenses, the Louisiana Insurance Rating Commission in accordance with a rate filing request made by the board may reduce the surcharge provided in this Subsection; however, at~~ At all times the fund shall"

AMENDMENT NO. 6

On page 4, delete lines 15 through 19 and insert in lieu thereof:

"A.(1) \* \* \*

AMENDMENT NO. 7

On page 4, at the end of line 25, delete "and such corporation, partnership, limited", and delete lines 26 and 27 and at the beginning of line 28, delete "40:1299.42,"

AMENDMENT NO. 8

On page 5, at the end of line 1, add "Any such corporation, partnership, limited liability partnership, or limited liability company which fails to provide proof of financial responsibility upon request of the fund after the filing of a request for review of a claim under R.S. 40:1299.47 or after the filing of a lawsuit alleging medical malpractice, shall not be deemed concurrently qualified and enrolled as a health care provider under this Part."

AMENDMENT NO. 9

On page 5, delete lines 5 through 11 and insert in lieu thereof:

"R.S. 40:1299.47(A)(1)(g) is all proposed new law.

(g) The filing fee of one hundred dollars per named defendant qualified under this Part shall be applicable in the event that a claimant identifies additional qualified health care providers as defendants. The filing fee applicable to each identified qualified health care provider shall be due forty-five days from the mailing date of the confirmation of receipt of the request for review for the additional named defendants in accordance with R.S. 40:1299.47(A)(3)(a)."

AMENDMENT NO. 10

On page 5, at the end of line 28, change "amendments to a request for a review of a" to "requests for review of a malpractice claim identifying additional health care providers" and at the beginning of line 29 delete "malpractice claim"

AMENDMENT NO. 11

On page 6, line 6, after "receipt of " change "the" to "the any" and after "request" delete "or any amendment thereto" and on line 7 after "request" delete "and any amendments hereto, as" and on line 8 delete "applicable."

AMENDMENT NO. 12

On page 6, delete lines 17 and 18 and add in lieu thereof:

"(f) ~~The qualification and selection of physician members of the medical review panel shall be as follows: (i) All A~~ physicians who holds a license to practice medicine in the state of Louisiana by the Louisiana State Board of Medical Examiners and who are is engaged in the active practice of medicine in this state, whether in the teaching profession or otherwise, shall be available for selection as a member of a medical review panel.

~~(ii)(g)~~ (g) Each party to the action shall have the right to select one physician health care provider and upon selection the physician health care provider shall be required to serve.

~~(iii)(h)~~ (h) When there are multiple plaintiffs or defendants, there shall be only one physician health care provider selected per side. The plaintiff, whether single or multiple, shall have the right to select one physician health care provider, and the defendant, whether single or multiple, shall have the right to select one physician health care provider.

~~(iv)(i)~~ (i) A panelist so selected and the attorney member selected in accordance with this Subsection shall serve unless for good cause shown may be excused. To show good cause for relief from serving, the panelist shall present an affidavit to a judge of a court of competent jurisdiction and proper venue which shall set out the facts showing that service would constitute an unreasonable burden or undue hardship. A health care provider panelist may also be excused from serving by the attorney chairman if during the previous twelve month period he has been appointed to four other medical review

panels. In either such event, a replacement panelist shall be selected within fifteen days in the same manner as the excused panelist.

↔ (i) If there is only one party defendant which is not a hospital, community blood center, tissue bank, or ambulance service, all panelists except the attorney shall be from the same class and specialty of practice of health care provider as the defendant. If there is only one party defendant which is a hospital, community blood center, tissue bank, or ambulance service, all panelists except the attorney shall be physicians. If there are claims against multiple defendants, one or more of whom are health care providers other than a hospital, community blood center, tissue bank, or ambulance service, the panelists selected in accordance with this Subsection may also be selected from health care providers who are from the same class and specialty of practice of health care providers as are any of the defendants other than a hospital, community blood center, tissue bank, or ambulance service."

On motion of Senator Lentini, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 477—**

BY SENATOR DARDENNE

**AN ACT**

To amend and reenact R.S. 40:962.1.1(A), relative to possession of ephedrine, pseudoephedrine, or phenylpropanolamine or their salts, optical isomers and salts of optical isomers; to redefine the crime relative to the amount of such substances; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 477 by Senator Dardenne

**AMENDMENT NO. 1**

On page 1, line 8, after "Possession of" insert "twelve grams or more of"

**AMENDMENT NO. 2**

On page 1, line 11, after "A." insert "(1)" and after "possess" insert "twelve grams or more of"

**AMENDMENT NO. 3**

On page 1, line 13, after "isomers" delete "**in powder form regardless of the amount possessed**"

**AMENDMENT NO. 4**

On page 1, between lines 13 and 14, insert the following:

"(2) It is unlawful for any person to possess ephedrine, pseudoephedrine, or phenylpropanolamine or their salts, optical isomers, or salts of optical isomers in powder form unless the powder is in the manufacturer's original packaging and may be lawfully sold over the counter without a prescription under the Federal Food, Drug and Cosmetic Act, 21 USC §301 et seq."

On motion of Senator Chaisson, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 485—**

BY SENATOR MOUNT

**AN ACT**

To enact Part III-A of Chapter 1 of Title 28, consisting of R.S. 28:70 through 87, relative to sex offenses; to provide relative to sexually violent predators; to authorize civil commitment of such offenders; to provide for definitions; to provide for notification of release of such offenders; to require establishment of a multidisciplinary evaluation team; to require assessment of such offenders by such team; to require appointment of a prosecutor's review committee in the office of the attorney general; to authorize such committee to identify potentially sexually violent predators; to require judicial determination of probable cause to believe a person is a sexually violent predator; to provide for an adversarial cause hearing; to provide for a trial to determine whether a person is a sexually violent predator; to provide for indigent defense; to authorize an outside examination at request of respondent at the discretion of the court; to authorize jury trials under certain circumstances; to provide for commitment procedures; to require annual examinations of persons so committed; to provide relative to persons determined to be incompetent to stand trial; to provide for transitional release; to provide for conditional release; to provide for discharge; to provide for notification of victims; to provide for escape of a person so committed; to provide for immunity for civil liability for certain agencies of the state and certain employees; to provide for the release of confidential and privileged records; to require the continued confidentiality of such records; to require the adoption of rules and regulations; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 485 by Senator Mount

**AMENDMENT NO. 1**

On page 3, line 15, change "14:880.1" to "14:80.1"

**AMENDMENT NO. 2**

On page 4, line 2, after "supervision" insert "or a person who at formal time computation has less than ninety days to serve on his sentence"

**AMENDMENT NO. 3**

On page 4, delete lines 16 through 20 in their entirety

**AMENDMENT NO. 4**

On page 5, line 6, after "person" insert "they deem appropriate"

**AMENDMENT NO. 5**

On page 5, line 7, after "include" delete the remainder of the line and insert "such information that the team deems to be necessary"

**AMENDMENT NO. 6**

On page 5, delete line 8 in its entirety

On motion of Senator Chaisson, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

**SENATE BILL NO. 564—**

BY SENATOR DARDENNE

## AN ACT

To amend and reenact R.S. 9:315.5, 315.18(C), and 374(C), relative to child support; to provide for discretion in awarding a dependency exemption; to provide for the pro rata sharing of uncovered medical expenses in a shared custody arrangement; to provide relative to rental or mortgage note reimbursement when sole use of the home is made; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 564 by Senator Dardenne

**AMENDMENT NO. 1**

On page 1, line 2, change "R.S. 9:315.5" to "R.S. 9:315.9(A)(6)" and after "374(C)" insert "and to enact R.S. 9:315.9(A)(7)"

**AMENDMENT NO. 2**

On page 1, line 8, change "R.S. 9:315.5" to "R.S. 9:315.9(A)(6)" and at the end of the line, add "and R.S. 9:315.9(A)(7) is hereby enacted"

**AMENDMENT NO. 3**

On page 1, delete lines 10 through 16 and add the following in lieu thereof:

"§315.9. Effect of shared custodial arrangement

A. \* \* \*

(6) **The court shall order each parent to pay his proportionate share of all reasonable and necessary uninsured medical expenses under the provisions of R.S. 9:315(C)(3) which are under one hundred dollars.**

(6) (7) The parent owing the greater amount of child support shall owe to the other parent the difference between the two amounts as a child support obligation. The amount owed shall not be higher than the amount which that parent would have owed if he or she were a domiciliary parent."

**AMENDMENT NO. 4**

On page 2, delete lines 15 through 29 and add the following in lieu thereof:

"C. A spouse who uses and occupies or is awarded by the court the use and occupancy of the family residence pending either the termination of the marriage or the partition of the community property in accordance with the provisions of R.S. 9:374(A) or (B) shall not be liable to the other spouse for rental for the use and occupancy, ~~unless otherwise agreed by the spouses or ordered by the court.~~ **except as hereafter provided. If the court awards use and occupancy to a spouse, it shall at that time determine whether or not to award rental for the use and occupancy and, if so, the amount of the rent. The parties may agree to defer the rental issue for decision in the partition proceedings. The court may make an award of rental retroactive to the date of the award of use and occupancy.**"

On motion of Senator Lentini, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 598—**

BY SENATOR HEITMEIER

## AN ACT

To enact R.S. 29:733.2, relative to emergency preparedness; to give civil immunity to volunteers providing transportation during emergencies and disasters; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 598 by Senator Heitmeier

**AMENDMENT NO. 1**

On page 1, at the end of line 2, change "give civil immunity to" to "limit the liability of"

On motion of Senator Lentini, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 837—**

BY SENATOR CAIN

## AN ACT

To amend and reenact 40:1379.3(T)(1) relative to concealed weapons, to provide for reciprocity with other states which have concealed weapons laws; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. On motion of Senator Chaisson, the bill was read by title, ordered engrossed, and passed to a third reading.

**House Bills and Joint Resolutions  
on Second Reading  
Reported by Committees**

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

**HOUSE BILL NO. 402—**

BY REPRESENTATIVE FLAVIN

## AN ACT

To amend and reenact Code of Criminal Procedure Article 734(C), relative to subpoenas; to authorize service of subpoenas by investigators employed by district attorneys; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 402 by Representative Flavin

**AMENDMENT NO. 1**

On page 1, line 3, between "attorneys" and the semicolon ";," insert "and the attorney general"

**AMENDMENT NO. 2**

On page 1, line 10, after "attorney" add "or the attorney general"

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## 24th DAY'S PROCEEDINGS

### AMENDMENT NO. 3

On page 1, line 12, between "attorney" and "and who" insert "or by the attorney general"

On motion of Senator Chaisson, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

### **HOUSE BILL NO. 663—**

BY REPRESENTATIVE WINSTON  
AN ACT

To amend and reenact R.S. 15:587(A)(2), relative to the Louisiana Bureau of Criminal Identification and Information; to require the bureau to make available to the Department of Social Services criminal history record information on certain persons; to provide the department the authority to receive criminal history record information; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

### **HOUSE BILL NO. 811—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 32:1510(A)(3), relative to hazardous materials transportation; to exempt oil transporters from reporting certain incidents to the office of state police; and to provide for related matters.

Reported favorably by the Committee on Environmental Quality. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

### **HOUSE BILL NO. 1220—**

BY REPRESENTATIVES THOMPSON, BRUCE, CAZAYOUX,  
DOWNS, FANNIN, FRITH, M. GUILLORY, HILL, MORRISH, ST.  
GERMAIN, AND STRAIN AND SENATOR SMITH  
AN ACT

To enact Part III of Chapter 4-A of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:331 through 333, relative to rural development; to create the Louisiana Center for Rural Initiatives; to provide for the powers, duties, and functions of the center; to provide relative to implementation; and to provide for related matters.

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture and Rural Development.

### **SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Agriculture, Forestry, Aquaculture and Rural Development to Reengrossed House Bill No. 1220 by Representative Thompson

### AMENDMENT NO. 1

On page 1, lines 3 and 9, change "through 333" to "and 332"

### AMENDMENT NO. 2

On page 1, line 5, delete "to provide relative to implementation;"

### AMENDMENT NO. 3

On page 2, line 5, change "public-policy decisionmaking" to "public policy decision-making"

### AMENDMENT NO. 4

On page 3, line 7, change "team" to "Team"

### AMENDMENT NO. 5

On page 3, line 17, change "Southern University" to "the Southern University system"

### AMENDMENT NO. 6

On page 3, delete lines 24 through 26

On motion of Senator Smith, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

### **HOUSE BILL NO. 1244—**

BY REPRESENTATIVE TRICHE  
AN ACT

To enact R.S. 14:102.19, relative to offenses affecting the public sensibility; to create the crime of hog and canine fighting; to provide for exceptions; to provide for penalties; to provide for definitions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

### **SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 1244 by Representative Triche

### AMENDMENT NO. 1

On page 2, line 7, after "hogs with" change "dog" to "canines"

### AMENDMENT NO. 2

On page 2, at the end of line 8, after "livestock" insert " or the private training of canines for those purposes listed in this Subsection provided that such training is not in violation of Subsection A of this Section"

On motion of Senator Chaisson, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

### **HOUSE BILL NO. 1265—**

BY REPRESENTATIVES THOMPSON, PINAC, BRUCE, DOERGE,  
FRITH, MARCHAND, RITCHIE, SCALISE, SHEPHERD, GARY  
SMITH, TRAHAN, WADDELL, WALSWORTH, AND WHITE AND  
SENATORS ELLINGTON AND SMITH  
AN ACT

To amend and reenact R.S. 36:4(L) and to enact Part IV of Chapter 3 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:955.1 through 955.4, relative to economic development; to create the Louisiana Broadband Advisory Council; to provide that such council shall be in the Governor's Office of Rural Development; to provide for definitions; to provide for the membership, terms, and vacancies of the council; to provide for the duties of the council; to provide for assistance

from other entities; to provide for staff, consultants, and the utilization of monies; and to provide for related matters.

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture and Rural Development.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture, Forestry, Aquaculture and Rural Development to Reengrossed House Bill No. 1265 by Representative Thompson

##### AMENDMENT NO. 1

On page 2, line 1, after "areas" insert a comma

##### AMENDMENT NO. 2

On page 2, line 22, change "Council" to "council" and "quorum:" to "quorum"

##### AMENDMENT NO. 3

On page 2, delete line 23

##### AMENDMENT NO. 4

On page 3, line 11, change "Section" to "Paragraph"

##### AMENDMENT NO. 5

On page 3, line 28, after "and" delete the comma

##### AMENDMENT NO. 6

On page 5, lines 4, 5, and 6, change "Council" to "council"

##### AMENDMENT NO. 7

On page 5, line 14, after "policy" insert ", consistent with homeland security and emergency response needs, policies, and systems"

On motion of Senator Smith, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

#### Rules Suspended

Senator Adley asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 353 from the Committee on Insurance.

##### **SENATE BILL NO. 353—**

BY SENATOR ADLEY

##### AN ACT

To enact R.S. 22:635.4, relative to motor vehicle insurance policies; to provide for payment of claims to certain entities for property damage sustained by a vehicle used as security in a financial transaction; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and withdrawn from the files of the Senate.

#### Rules Suspended

Senator Duplessis asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 817 from the Committee on Judiciary C.

##### **SENATE BILL NO. 817—**

BY SENATOR DUPLESSIS

##### AN ACT

To enact R.S. 26:74(E) and 274(F), relative to alcoholic beverages; to authorize the governing authority of any municipality or parish operating under a home rule charter and having the same boundaries as a local school board to require the certain licenses for persons involved in the dispensing, selling, and serving of alcoholic beverages; to authorize the levy of fees for such permits; to authorize the use of revenue therefrom to provide funds for teacher salary supplements; and to provide for related matters.

On motion of Senator Duplessis, the bill was read by title and withdrawn from the files of the Senate.

#### Rules Suspended

Senator Hines asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 181 from the Committee on Health and Welfare.

##### **SENATE BILL NO. 181—**

BY SENATOR HINES

##### AN ACT

To amend and reenact R.S. 37:2356(G), relative to psychology; to provide with respect to the maintenance of certain records by the State Board of Examiners of Psychologists; and to provide for related matters.

On motion of Senator Hines, the bill was read by title and withdrawn from the files of the Senate.

#### Rules Suspended

Senator Hines asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 214 from the Committee on Health and Welfare.

##### **SENATE BILL NO. 214—**

BY SENATOR HINES

##### AN ACT

To enact R.S. 37:1360.31(B)(8), relative to prescriptive authority for physician assistants; to provide for such prescriptive authority for physician assistants under certain circumstances; and to provide for related matters.

On motion of Senator Hines, the bill was read by title and withdrawn from the files of the Senate.

#### Rules Suspended

Senator Hines asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 360 from the Committee on Judiciary A.

**SENATE BILL NO. 360—**  
BY SENATOR HINES

AN ACT

To amend and reenact the introductory paragraph of R.S. 40:1299.39.1(G) and the introductory paragraph of 1299.47(G) and to repeal R.S. 40:1299.47(K) and (L), relative to a one hundred eighty day time frame relative to medical review panel members and reports; to remove provisions requiring medical review panel members to be selected within one hundred eighty days; to remove provisions that require a report within one hundred eighty days of appointment of the last panel member; and to provide for related matters.

On motion of Senator Hines, the bill was read by title and withdrawn from the files of the Senate.

**Reconsideration**

On motion of Senator Nevers, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, May 11, 2004 was reconsidered.

**SENATE BILL NO. 369—**  
BY SENATOR NEVERS

AN ACT

To enact R.S. 38:2225(A), relative to health insurance on construction contracts; to require bidders on construction contracts to offer insurance coverage to employees and their dependents; to provide incentives for contractors to maintain such coverage; and to provide for related matters.

On motion of Senator Nevers, the bill was read by title and returned to the Calendar, subject to call.

**Reconsideration**

On motion of Senator Dardenne, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, May 11, 2004 was reconsidered.

**SENATE BILL NO. 469—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 18:467, to provide relative to qualifying for primary elections; to increase the time period from qualifying to election; to provide for an effective date; and to provide for related matters.

On motion of Senator Dardenne, the bill was read by title and returned to the Calendar, subject to call.

**Reconsideration**

On motion of Senator Fields, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, May 11, 2004 was reconsidered.

**SENATE BILL NO. 773—**  
BY SENATOR FIELDS

AN ACT

To enact R.S. 42:1111(A)(3), relative to the Code of Governmental Ethics; to provide relative to the payment of public servants from nonpublic sources; to provide for certain exceptions; and to provide for related matters.

The bill was read by title. Senator Fields moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Irons
Adley	Duplessis	Jackson
Amedee	Fields	Jones
Boasso	Fontenot	Marionneaux
Boissiere	Gautreaux, B	Mount
Cain	Gautreaux, N	Schedler
Chaisson	Hainkel	Smith
Cheek	Holden	Theunissen
Cravins	Hollis	Ullo
Total—27		

NAYS

Barham	Lentini	Nevers
Ellington	Malone	Romero
Kostelka	Michot	
Total—8		

ABSENT

Bajoie	Heitmeier
Dupre	McPherson
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Personal Privilege**

Senator Mount asked for and obtained the floor of the Senate on a point of personal privilege, and stated she had voted in error on Senate Bill No. 773. She voted yea on the bill and had intended to vote nay. She asked that the Official Journal so state.

**Reconsideration**

On motion of Senator Mount, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, May 11, 2004 was reconsidered.

**SENATE BILL NO. 802—**

BY SENATORS MOUNT AND THEUNISSEN AND  
REPRESENTATIVES FLAVIN, GEYMAN, E. GUILLORY, JOHNS  
AND MORRISH

**AN ACT**

To amend and reenact R.S. 27:96(A), relative to the Louisiana Riverboat Economic Development and Gaming Control Act; to provide with respect to prohibited acts and gaming offenses on riverboats; to provide that an elected public official can engage in business activities with a riverboat gaming licensee as a non-key gaming employee under certain circumstances; to provide for notification requirements; to provide for the adoption of rules; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Cain sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Cain to Engrossed Senate Bill No. 802 by Senator Mount

**AMENDMENT NO. 1**

In Senate Floor Amendment No. 2 proposed by Senator Mount and adopted by the Senate on May 11, 2004, on page 1, line 7, after "employee." insert the following: "Provided however, no person who lobbies for a licensee can run for elective public office."

Senator Cain moved adoption of the amendments.

Senator Dardenne objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Jones
Adley	Dupre	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Boissiere	Gautreaux, B	Michot
Cain	Gautreaux, N	Mount
Cheek	Holden	Theunissen
Cravins	Irons	Ullo
Total—24		

**NAYS**

Barham	Hainkel	Nevers
Boasso	Hollis	Romero
Dardenne	Jackson	Schedler
Ellington	Kostelka	Smith
Total—12		

**ABSENT**

Chaisson	Heitmeier	Lentini
Total—3		

The Chair declared the amendments were adopted.

**Floor Amendments Sent Up**

Senator Dupre sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Dupre to Engrossed Senate Bill No. 802 by Senator Mount

**AMENDMENT NO. 1**

On page 1, line 4, after "provide that" change "an" to "certain"

**AMENDMENT NO. 2**

On page 1, line 13, after "musician" insert a period "." and delete ", or as" and insert: "**(2) An elected public official as defined in R.S. 42:1 who is a member of a governing authority of a parish, municipality, or school board, or who is a justice of the peace or a constable may engage in any business activity with a licensee if he is**"

**AMENDMENT NO. 3**

On page 1, at the end of line 15, insert: "**The provisions of this Paragraph shall not apply to a mayor, parish president, or any other parish-wide or municipal-wide public elected official.**"

**AMENDMENT NO. 4**

On page 1, line 16, change "**(2)**" to "**(3)**"

**AMENDMENT NO. 5**

On page 2, line 11, change "(3)" to "(4)"

**AMENDMENT NO. 6**

On page 2, line 12, after "holding" insert "such"

On motion of Senator Mount, the amendments were adopted.

The bill was read by title. Senator Mount moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Cravins	Irons
Adley	Dupre	Jackson
Amedee	Ellington	Jones
Bajoie	Fields	Marionneaux
Boissiere	Fontenot	Mount
Cain	Gautreaux, B	Theunissen
Cheek	Holden	Ullo
Total—21		

**NAYS**

Barham	Kostelka	Nevers
Dardenne	Lentini	Romero
Gautreaux, N	Malone	Schedler
Hainkel	McPherson	Smith
Hollis	Michot	
Total—14		

**ABSENT**

Boasso	Duplessis
Chaisson	Heitmeier
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Personal Privilege**

Senator Cain asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 802. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

**Special Order of the Day**

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

**SENATE BILL NO. 166—**

BY SENATORS HAINKEL, ADLEY, BARHAM, ELLINGTON, KOSTELKA, MICHOT, NEVERS, SCHEDLER AND SMITH

**A JOINT RESOLUTION**

Proposing to add Article XII, Section 15 of the Constitution of Louisiana, relative to marriage; to require that marriage in the state shall consist only of the union of one man and one woman; to provide that the legal incidents of marriage shall be conferred only upon such union; to prohibit the validation or recognition of the legal status of any union of unmarried individuals; to prohibit the recognition of a marriage contracted in another jurisdiction which is not the union of one man and one woman; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

**Floor Amendments Sent Up**

Senator Hainkel sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hainkel to Engrossed Senate Bill No. 166 by Senator Hainkel

**AMENDMENT NO. 1**

On page 2, line 8, after “on” delete the remainder of the line and insert “September 18, 2004.”

Senator Hainkel moved adoption of the amendments.

Senator Boissiere objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Dardenne	McPherson
Amedee	Duplessis	Mount
Barham	Dupre	Nevers
Boasso	Ellington	Smith
Cain	Hainkel	Ullo
Cheek	Heitmeier	
Cravins	Kostelka	
Total—19		

**NAYS**

Mr. President	Fontenot	Malone
Bajoie	Holden	Michot
Boissiere	Jackson	Schedler
Chaisson	Jones	Theunissen
Fields	Lentini	
Total—14		

**ABSENT**

Gautreaux, B	Hollis	Marionneaux
Gautreaux, N	Irons	Romero
Total—6		

The Chair declared the amendments were adopted.

The bill was read by title. Senator Hainkel moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Dupre	Michot
Amedee	Ellington	Mount
Barham	Fontenot	Nevers
Boasso	Hainkel	Schedler
Cain	Heitmeier	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Duplessis	McPherson	
Total—25		

**NAYS**

Mr. President	Chaisson	Jackson
Bajoie	Fields	Jones
Boissiere	Holden	
Total—8		

**ABSENT**

Gautreaux, B	Hollis	Marionneaux
Gautreaux, N	Irons	Romero
Total—6		

The Chair declared the amended bill failed to pass.

### Notice of Reconsideration

Senator Hainkel, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

### Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 2, was taken up and acted upon as follows:

#### SENATE BILL NO. 424—

BY SENATOR N. GAUTREAUX

#### AN ACT

To enact R.S. 17:3048.1(X), relative to the Louisiana Tuition Opportunity Program for Students; to provide for the eligibility of certain students to receive awards; to authorize the Louisiana Student Financial Assistance Commission, with assistance from the Board of Regents; to promulgate rules providing for eligibility; to establish a priority order of awards among students; to provide for continued eligibility; to provide guidelines and limitations; to provide for effectiveness; and to provide for related matters.

### Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 424 by Senator N. Gautreaux

#### AMENDMENT NO. 1

On page 2, line 5, following "rules" and before "pursuant" delete "as"

#### AMENDMENT NO. 2

On page 2, line 28, before "Subparagraph" insert "accordance with"

#### AMENDMENT NO. 3

On page 2, line 29, change "(3)(c)" to "(3)(a)"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator N. Gautreaux moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Gautreaux, B	Marionneaux
Boasso	Gautreaux, N	Michot
Boissiere	Holden	Nevers
Cain	Hollis	Schedler
Chaisson	Irons	Ullo
Cravins	Jackson	
Duplessis	Jones	
Total—28		

#### NAYS

Barham	Mount	Theunissen
Fontenot	Romero	
Heitmeier	Smith	
Total—7		

#### ABSENT

Cheek	Hainkel
Dardenne	McPherson
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator N. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

#### SENATE BILL NO. 161—

BY SENATOR B. GAUTREAUX

#### AN ACT

To enact Part XVI of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:559.1 through 559.9, and R.S. 36:629(Q), relative to the Louisiana Aquatic Chelonian Research and Promotion Board; to provide for definitions; to provide for the composition, powers, and duties of the board; to provide for the powers of the commissioner of agriculture and forestry; to provide for a referendum for imposition of assessments and authorization for certain activities; to provide for the collection and disbursement of assessments; to provide for violations and penalties; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

**SENATE BILL NO. 233—**

BY SENATORS NEVERS AND DUPLESSIS AND REPRESENTATIVE STRAIN

**AN ACT**

To amend and reenact R.S. 15:574.2(B), relative to parole; to provide with respect to the parole of offenders convicted of certain offenses against a peace officer; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Conforming Amendments proposed by Representative Strain to Engrossed Senate Bill No. 233 by Senator Nevers (Duplicate of H.B. No. 93)

**AMENDMENT NO. 1**

On page 2, delete line 4 in its entirety and insert "shall"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Cazayoux to Engrossed Senate Bill No. 233 by Senator Nevers

**AMENDMENT NO. 1**

On page 2, lines 6 and 7, after "which" delete "all" and insert "at least five of the" and after "and" insert "all members present"

Senator Nevers moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Lentini
Amedee	Dupre	Malone
Bajoie	Ellington	McPherson
Barham	Fields	Michot
Boasso	Fontenot	Mount
Boissiere	Gautreaux, B	Nevers
Cain	Heitmeier	Schedler
Chaisson	Holden	Smith
Cheek	Jackson	Theunissen
Cravins	Jones	Ullo
Dardenne	Kostelka	
Total—32		

**NAYS**

Total—0

**ABSENT**

Adley	Hollis	Romero
Gautreaux, N	Irons	
Hainkel	Marionneaux	
Total—7		

The Chair declared the amendments proposed by the House were concurred in. Senator Nevers moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Senate Bills and Joint Resolutions on  
Third Reading  
and Final Passage**

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

**SENATE BILL NO. 243—**

BY SENATOR BOISSIERE

**AN ACT**

To amend and reenact R.S. 11:62(5)(a) and R.S. 24:36(A), (C)(1)(a),(b),(c),(d) and (e), (2)(a),(b) and (c) and (E)(3), relative to the Louisiana State Employees' Retirement System; to include the attorney general as a member eligible to receive additional benefits; to provide with respect to service credit; to provide for credit for service previously rendered; to provide for additional contributions; to provide for computation of benefits payable; to provide for membership; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Schedler
Chaisson	Irons	Smith
Cheek	Jackson	Theunissen
Cravins	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

**NAYS**

Total—0

**ABSENT**

Boasso	Gautreaux, N	Romero
Dardenne	Hollis	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 311—**

BY SENATOR FONTENOT AND REPRESENTATIVE WHITE  
AN ACT

To enact R.S. 17:58.2(H), 65, and 65.1, relative to the Central community school system; to provide for the school system, including its establishment and boundaries; to provide for the school board and an interim board of control; to provide for board membership, apportionment, qualifications, method of selection, terms of office, filling of vacancies, compensation, expenses, powers, duties, and responsibilities; to provide relative to facilities and property; to provide for the reapportionment of the East Baton Rouge Parish School Board; to provide for effectiveness and for implementation; and to provide for related matters.

On motion of Senator Fontenot, the bill was read by title and returned to the Calendar, subject to call.

**SENATE BILL NO. 513—**

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 47:1856(D)(3), (E), and (F), 1857(B)(1)(c) and (2), 1998(A)(1)(b)(ii), 2110(A)(2) and (3), (C), (E), and (F), relative to ad valorem property tax payment under protest procedure; to provide for the effectiveness of certain procedures; to provide for the use of protested amounts; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lentini sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 513 by Senator Ellington

**AMENDMENT NO. 1**

On page 3, line 2, following "Notwithstanding" and before "," change "Subsubparagraph (i) of this Paragraph" to "Item (i) of this Subparagraph"

**AMENDMENT NO. 2**

On page 3, line 6, change "provided for in Subsubparagraph (i)" to "provided in Item (i)"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Ellington moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot

Barham  
Boissiere  
Cain  
Chaisson  
Cheek  
Cravins  
Dardenne  
Duplessis  
Total—34

Gautreaux, B  
Hainkel  
Heitmeier  
Holden  
Irons  
Jackson  
Jones  
Kostelka

Mount  
Nevers  
Schedler  
Smith  
Theunissen  
Ullo

NAYS

Total—0

ABSENT

Boasso  
Gautreaux, N  
Total—5

Hollis  
Marionneaux

Romero

The Chair declared the amended bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 556—**

BY SENATOR DUPRE

AN ACT

To enact R.S. 32:672 through 674, relative to the Department of Public Safety and Corrections; to require the Department of Public Safety and Corrections, office of motor vehicles, to establish and maintain the impaired driver tracking system; to provide for legislative intent; to require certain agencies to provide information regarding the arrest, prosecution, conviction, and disposition of persons arrested for certain driving offenses; to provide for the exchange of that information between agencies; to direct the Louisiana State Law Institute to redesignate certain provisions of current law; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lentini sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 556 by Senator Dupre

**AMENDMENT NO. 1**

On page 4, line 27, following "Louisiana" insert "State"

On motion of Senator Lentini, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Dupre sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Dupre to Engrossed Senate Bill No. 556 by Senator Dupre

**AMENDMENT NO. 1**

On page 1, line 2, after "enact" delete the remainder of the line and delete line 3 and on line 4, delete "motor vehicles; to establish and maintain" and insert in lieu thereof "R.S. 15:1228.9, relative to the establishment and maintenance of"

**AMENDMENT NO. 2**

On page 1, line 8, after "agencies;" delete the remainder of the line and on line 9, delete "of current law;"

**AMENDMENT NO. 3**

On page 1, line 11, after "Section 1." change "R.S. 32:672 through 674 are" to "R.S. 15:1228.9 is"

**AMENDMENT NO. 4**

On page 1, delete lines 12 through 17, and delete pages 2, 3 and 4, and on page 5, delete line 1 and insert in lieu thereof the following:

"§1228.9. Impaired Driver Tracking System; purpose; procedure

A. The Legislature of Louisiana finds and declares that driving under the influence of alcohol or a controlled dangerous substance presents a significant threat to the public safety and welfare to the citizens of this state. Impaired driving causes loss of life and serious bodily injury, as well as substantial property damage in every area of this state. The ability to track persons previously arrested for an impaired driving offense will assist agencies which are involved in the investigation, prosecution, and disposition of impaired driving offenses in removing continual, habitual offenders from behind the wheel. In order to accomplish that goal, it is in the best interest of this state to utilize the ICJIS project to coordinate an impaired driver tracking system to ensure that persons employed by the agencies involved in the investigation, prosecution, and disposition of impaired driving offenses have complete, reliable, and accurate information on every person who has committed an offense listed herein.

B. The Integrated Criminal Justice Information System (ICJIS) Project shall contain a component of an Impaired Driver Tracking System as provided for in this Section.

C. The Impaired Driver Tracking System component of ICJIS shall be designed so as to provide accurate, complete, and reliable information regarding the arrest of each driver for the offenses set forth in this Subsection and the disposition, of each case, including information on prosecution, dismissal, conviction, disposition, or completion of the sentence. Notwithstanding any other provision of law to the contrary, all agencies participating in the Impaired Driver Tracking System as provided in this Section shall have access to the data collected as provided for in Subsection E of this Section concerning any of the following offenses:

- (1) R.S. 14:32.1 (vehicular homicide).
- (2) R.S. 14:39.1 (vehicular negligent injuring).
- (3) R.S. 14:39.2 (first degree vehicular negligent injuring).
- (4) R.S. 14:98 (operating a vehicle while intoxicated).

(5) Any ordinance of a municipality, town, or other similar political subdivision of the state, which prohibits the operation of a motor vehicle, aircraft, watercraft, vessel, or other means of conveyance while intoxicated, while impaired, or while under the influence of alcohol, drugs, or any controlled dangerous substance.

D. The information contained in the impaired driver tracking system shall be shared by all agencies who contribute information to

it, in accordance with the provisions of the ICJIS project in order to effectively investigate, prosecute, or dispose of cases involving impaired driving. The information contained in the tracking system may also be used to generate periodic reports on the number of impaired driving offenses taking place during a specified period of time.

E. The data to be collected concerning the offenses listed in Subsection C of this Section shall include but not be limited to:

(1) The following demographic information concerning the offender: name, address, driver's license number, date of birth, and physical characteristics, such as eye color, hair color, and gender.

(2) The following offense information: pertinent arrest information, date and location of the offense, the arresting officer, the violation charged, whether the person arrested submitted or refused to submit to a test to determine the presence of alcohol or drugs, the results of those tests if applicable, and any other information electronically submitted by the arresting officer.

(3) The following prosecution information: the criminal charge filed against the person, whether or not the person was required to participate in substance abuse treatment, a driver improvement program or any pretrial diversion program, whether the person completed the requirements imposed by the prosecutor or district attorney, and whether a conviction was obtained.

(4) The following adjudication information: disposition of the charge for any offense listed herein, including but not limited to the date of arraignment, date of disposition, whether or not the defendant was required to participate in substance abuse treatment, the final disposition of the charge, sentence or penalties imposed, and probation information, any administrative sanctions imposed, such as driver's license suspensions, fines assessed, penalties for failure to complete court or administrative sanctions, and date of reinstatement.

Section 2. This Act shall be known hereafter as "Jade's Law," in memory of Jade Thomas, a nine year old who was killed in a car crash on February 14, 2004 due to a multiple offender who was charged with a tenth offense Driving While Intoxicated.

Section 3. In order to provide the most efficient mechanism by which the information provided for in this Act may be collected, stored, accessed, and disseminated, the provisions of this Act shall become effective on the first day of the second month following promulgation of written notice from the Louisiana State Commission on Law Enforcement and Administration of Criminal Justice, office of the governor, of the successful completion and implementation of the Integrated Criminal Justice Information System (ICJIS) Project."

On motion of Senator Dupre, the amendments were adopted.

On motion of Senator Dupre, the amended bill was read by title and returned to the Calendar, subject to call.

**SENATE BILL NO. 769—**

BY SENATOR HEITMEIER

**AN ACT**

To amend and reenact R.S. 42:455(A)(1)(b) and to enact R.S. 42:455(E), relative to payroll deduction by foreign companies; to provide for requirements for payroll deduction for foreign companies; to provide with respect to the liability of the state; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Nevers
Cheek	Irons	Theunissen
Dardenne	Jackson	
Duplessis	Jones	
Total—25		

**NAYS**

Barham	Kostelka	Smith
Chaisson	Lentini	Ullo
Cravins	Schedler	
Total—8		

**ABSENT**

Boasso	Gautreaux, N	Hollis
Gautreaux, B	Hainkel	Romero
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 825—**  
BY SENATOR MOUNT**AN ACT**

To amend and reenact R.S. 47:337.2(C)(5) and to enact Part G of Chapter 2-D of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be composed of R.S. 47:337.91 through 337.100, relative to the sales and use tax of political subdivisions; to create the Uniform Local Sales Tax Procedure Act; to provide a procedure for the adoption of certain regulations of local tax authorities; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lentini sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 825 by Senator Mount

**AMENDMENT NO. 1**

On page 1, line 2, following "enact" change "Part G" to "Part H"

**AMENDMENT NO. 2**

On page 1, line 9, following "and" change "Part G" to "Part H"

**AMENDMENT NO. 3**

On page 2, line 5, change "PART G." to "PART H."

On motion of Senator Lentini, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Mount sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Mount to Engrossed Senate Bill No. 825 by Senator Mount

**AMENDMENT NO. 1**

On page 1, line 2, after "R.S. 47:337.2(C)" insert "(1)(b) and"

**AMENDMENT NO. 2**

On page 1, line 9, change "R.S. 47:337.2(C)(5) is" to "R.S. 47:337.2(C)(1)(b) and (5) are"

**AMENDMENT NO. 3**

On page 1, delete line 14, and insert:

"C. Notwithstanding any other law to the contrary, in order to insure taxpayers of uniformity of tax collection, the regulations applicable to the sales and use tax of the tax authorities provided for in this Chapter shall be the following:

(1) For purposes of this Section, the following terms shall have the following definitions:

\* \* \*

(b) "Common sales tax law" means a provision of law relative to the sales and use tax law of the state ~~that which~~ which is applicable to both the state and to local taxing authorities ~~as expressly adopted in this Chapter and which is intended to have the same meaning and application as provided for in R.S. 47:337.2(D).~~ The term "common sales tax law" shall mean and include the provisions of Part F of this Chapter.

\* \* \*

On motion of Senator Mount, the amendments were adopted.

The bill was read by title. Senator Mount moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Malone
Amedee	Ellington	Marionneaux
Bajoie	Fields	McPherson
Barham	Fontenot	Michot
Boasso	Gautreaux, B	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Schedler
Chaisson	Irons	Smith
Cheek	Jackson	Theunissen
Cravins	Jones	Ullo
Dardenne	Kostelka	
Duplessis	Lentini	

Total—34

NAYS

Total—0

ABSENT

Adley  
Gautreaux, N  
Total—5

Hainkel  
Hollis

Romero

The Chair declared the amended bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Senator Heitmeier in the Chair**

**SENATE BILL NO. 870 (Substitute for Senate Bill No. 520 by Senator Ellington)—**

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 32:771(2)(b), and (4), 773.1(A)(2)(c), and 773.2(A)(1), and to enact R.S. 32:773.1(C), 773.2(G), and (H), relative to marine product dealers; to provide for definitions; to provide for unlawful acts; to provide for marine dealer/manufacturer/distributor agreements; to provide for voluntary termination of a marine dealers business; to provide for procedures regarding disputes between marine dealers and marine manufacturers and distributors; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lentini sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 870 by Senator Ellington

**AMENDMENT NO. 1**

On page 2, line 23, following "(i)" change "the" to "The"

**AMENDMENT NO. 2**

On page 2, line 26, following "(ii)" change "the" to "The"

On motion of Senator Lentini, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Ellington sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Ellington to Engrossed Senate Bill No. 870 by Senator Ellington

**AMENDMENT NO. 1**

On page 1, lines 2 and 10, after "773.2(A)(1)" insert "and the introductory paragraph of (F)(5)"

**AMENDMENT NO. 2**

On page 2, line 16, before "credible" insert "identified"

**AMENDMENT NO. 3**

On page 2, line 17, change "resources" to "sources"

**AMENDMENT NO. 4**

On page 4, line 16, after "notice" change "of" to "to" and after "successor" insert "or transferee"

**AMENDMENT NO. 5**

On page 4, line 17, after "application" insert a period "." and delete the remainder of the line and delete line 18

**AMENDMENT NO. 6**

On page 5, between lines 17 and 18, insert as follows:

"\* \* \*  
F. \* \* \*

(5) Whenever the commission receives an objection pursuant to the provisions of Paragraph (2) of this Subsection, **or whenever the commission receives an objection pursuant to the assignment of the marine dealer's area of principal sales and service responsibility**, the commission shall consider the following and may consider any other relevant factors in determining whether there is good cause **to approve or reject the assignment of the marine dealer's area of principal sales and service responsibility, or** to issue a license:"

On motion of Senator Ellington, the amendments were adopted.

The bill was read by title. Senator Ellington moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Dupre	Malone
Amedee	Ellington	Marionneaux
Bajoie	Fields	McPherson
Barham	Fontenot	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Schedler
Chaisson	Irons	Smith
Cheek	Jackson	Theunissen

Cravins	Jones	Ullo
Dardenne	Kostelka	
Duplessis	Lentini	

Total—34

**NAYS**

Total—0

**ABSENT**

Mr. President	Gautreaux, N	Romero
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Gautreaux, B                      Hollis  
Total—5

The Chair declared the amended bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 871                      (Substitute for Senate Bill No. 534  
by Senator Irons)—**

BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 17:17, and to enact R.S. 17:17.1 and 17.2, relative to physical fitness in schools; to provide relative to the physical activity of students; to provide for legislative findings and objectives; to establish and provide for awards for schools with outstanding programs, based on funding; to establish and provide for the implementation of a pilot program consisting of an assessment measuring the health-related fitness of students in certain grades; to provide for the selection of school systems for participation; to provide for program development; to provide for limitations; to provide for reports; to provide relative to funding; and to provide for related matters.

Senator Irons moved Senate Bill No. 871, which is on Third Reading and Final Passage, be made Special Order of the Day No. 1 on Monday, May 17, 2004 immediately following the Morning Hour.

**SENATE BILL NO. 872                      (Substitute for Senate Bill No. 700  
by Senator Irons)—**

BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 17:416.13 relative to the protection of students; to require certain modification to the student handbook; to require policy development by the State Board of Elementary and Secondary Education; to require policy implementation by school boards; and to provide for related matters.

On motion of Senator Irons, the bill was read by title and returned to the Calendar, subject to call.

**Senate Bills and Joint Resolutions on  
Third Reading and Final Passage,  
Subject to Call**

The following Senate Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

**Called from the Calendar**

Senator Hines asked that Senate Bill No. 754 be called from the Calendar at this time.

**SENATE BILL NO. 754—  
BY SENATOR HINES**

AN ACT

To amend and reenact R.S. 37:1701, 2366, and 2367 and to enact Part II of Chapter 28 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:2371 through 2378, relative to medical psychologists to prescribe drugs; to provide for other related powers and duties; to provide for definitions; to provide

for the duties of the medical psychologist; to provide for a medical psychologist giving directions to certain other health care providers; to provide for qualifications for medical psychologists and the requirements for certification; to provide for renewal of the certificate; to prohibit issuance of a prescription by a psychologist who is not a medical psychologist certified to prescribe; to provide a penalty for violations; to provide for prescribing practices; to provide for controlled substance prescriptive authority; to provide for coordination with the Louisiana Board of Pharmacy; to provide for designation of existing law; to provide for effective date; and to provide for related matters.

On motion of Senator Hines, the bill was read by title and withdrawn from the files of the Senate.

**Rules Suspended**

Senator Holden asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Bills and Joint Resolutions  
Returned from the House  
of Representatives with Amendments,  
Subject to Call**

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

**Called from the Calendar**

Senator Holden asked that Senate Bill No. 303 be called from the Calendar at this time.

**SENATE BILL NO. 303—  
BY SENATOR HOLDEN**

AN ACT

To amend and reenact that part of Section 9(B)(14) of Act 1134 of the 2003 Regular Session of the Legislature which is applicable to the allocation and distribution of funds in East Baton Rouge Parish, relative to the Revenue Sharing Fund; to provide with respect to certain distributions in East Baton Rouge Parish for Fiscal Year 2003-2004; to provide for the retroactive application of this Act; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Engrossed Senate Bill No. 303 by Senator Holden

**AMENDMENT NO. 1**

On page 1, line 3, after "Legislature" and before "which" insert ", as amended by Act 3 of the 2004 First Extraordinary Session of the Legislature,"

**AMENDMENT NO. 2**

On page 1, line 10, after "Legislature" and before "which" insert ", as amended by Act 3 of the 2004 First Extraordinary Session of the Legislature,"

Senator Holden moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Boissiere	Holden	Schedler
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Lentini	
Total—34		

#### NAYS

Total—0

#### ABSENT

Cain	Gautreaux, N	Romero
Gautreaux, B	Kostelka	
Total—5		

The Chair declared the amendments proposed by the House were concurred in. Senator Holden moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

### Mr. President in the Chair

### Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call, Resumed

The following Senate Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

#### Called from the Calendar

Senator Jones asked that Senate Bill No. 869 be called from the Calendar at this time for its final passage.

#### SENATE BILL NO. 869 (Substitute for Senate Bill No. 736 by Senator Jones)—

BY SENATOR JONES

#### AN ACT

To amend and reenact R.S. 3:264(C), 401(A), 453(A), 551.3(B), 551.32(A), 551.63(B)(introductory paragraph), 551.73(B),

551.82(A)(1), 556.3(C), 558.3(C), 732(B)(3), 1604(D), 1892(A)(1), 2091(F), 2364 (B)(3), 3211(C), 3403(B), 3801(C), and 4603(C), R.S. 4:61(A) and 144(A), R.S. 8:675(F), R.S. 9:2341(F), R.S. 15:323(E), 572.1(A), 574.2(A)(1), 1155(D) and 1202(C), R.S. 17:1964(A)(12), 1979(A), 2503(D), and 3053(D), R.S. 22:9(A)(3), 1192(A)(introductory paragraph), 1395.6(C), 1401(A), 1417(B) and 1922(A)(2), R.S. 23:76(C)(1), 103(A)(1), 1398(B), 1652 and 2043(B), R.S. 24:802(B)(introductory paragraph), R.S. 25:2(A), 315(A), 341(D)(7), 373(C), 379.1(D), 380.22(D), 651, 822(A)(introductory paragraph), 891(A)(2)(f), 902(A), 1001(A), and 1232(B)(1)(a), R.S. 27:11(A), R.S. 28:753 (A), R.S. 30:83(C), 121(A), 2062(D), and 2503(B), R.S. 33:2006(A) and 2342(F), R.S. 34:962(A), R.S. 37:74(C)(1), 571(B), 683(A)(1), 914(B)(1), 962(A), 1042(A), 1104(A) and (B)(2)(a), 1314(B), 1339(A), 1361(C), 1379, 1432(A), 1474(C), 1515(A)(2), 2102, 2151(A)(introductory paragraph), 2165(A), 2303(A)(2), 2353(A), 2401.1(C), 2551(B), 2654(C)(1), 2704(B), 2802(A)(1), 2835(A)(2)(b), 3061(A)(2)(c), 3111(B), 3173(A)(1), 3201(B)(2), 3242(C), 3273(B), 3373(B), 3394(C), 3444(B), 3463(A), 3504(B), 3554(A)(2), R.S. 38:3097.4(B), 3098.6, R.S. 39:99.5(A), R.S. 40:5.11(C), 600.4(A)(4), 1232.2(C), 1299.88(A)(2), 1299.181(B)(2), 1578.1(A), 2018(B)(3), 2403(B)(2), 2451(B), R.S. 42:882(A)(4)(c), 1132(B)(2), 1481, R.S. 46:1803(B), 2265(B), 2251(A)(11), 2404(B)(5), 2501, 2525(D), 2624(C), 2634(C), R.S. 48:108.1, 1352(A), 2074(E), R.S. 51:923(B), 1318(D), 1364(D), 2233, 2311(A)(1), and R.S. 56:1(B), 578.2(A)(1), and 700.13(B) and to enact R.S. 3:3363(I), 4106(C) and 4272(D), R.S. 8:61(C), R.S. 17:407.3(D) and 3022(A)(3), R.S. 22:1194.2(D), and 1381(A)(3), R.S. 24:933(D), R.S. 25:651(B), R.S. 28:826(C)(29), R.S. 29:253(D), R.S. 32:772(A)(4), R.S. 37:341(A)(2)(d), 1007(A)(2)(d), 1263(B)(2)(d), 1270.1(B)(5), 1285.2(A)(13), 1379(B), 2503(A)(3)(d), 3084(B)(1)(e), 3152(B)(6), 3356(B)(3), and R.S. 39:301(F), 1784(C), 1798.4(C), R.S. 40:1299.40(E)(3)(i), 1299.44(D)(1)(i), 1300.105(D), 1351(C), 1662.13(A)(3), 1841(E), 2019(H), 2191(A)(4), R.S. 41:1602(B)(3), R.S. 42:2.1, 456.2(D), R.S. 46:933(H), 1406(G), 2605(G), R.S. 47:1402(D), 1832(C), 9004(B)(4), R.S. 48:101(D), R.S. 49:214.12(D), 219.2(B)(5), 1053(J), R.S. 51:911.26(A)(4), 943(D), 1256(D), 1284(D), and R.S. 56:331(F), and 1681(A)(4), relative to the qualifications and qualities of appointees to boards, commissions, councils, authorities, and other entities with statewide jurisdiction over certain matters; to provide with regard to racial and gender diversity; to provide with regard to geographic distribution; to provide with regard to expertise, experience and other qualifications; and to provide for related matters.

### Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 869 by Senator Jones

#### AMENDMENT NO. 1

On page 25, between lines 7 and 8 insert " \* \* " and on page 33, line 25, following "who" and before "recommended" change "is" to "are"

AMENDMENT NO. 2

On page 38, line 12, following "1379" and before "1432(A)" delete "(A)"

AMENDMENT NO. 3

On page 62, line 19, following "600.4(A)(4)" and before "1232.2(C)" insert ", "

AMENDMENT NO. 4

On page 58 line 24 delete " \* \* " and on page 62, line 21, following "1841(E)," delete "and"

AMENDMENT NO. 5

On page 62, line 22, following "2019(H)," and before "2191(A)(4)" insert "and"

AMENDMENT NO. 6

On page 67, line 7, following "Paragraph" and before "of" change "1" to "2"

On motion of Senator Lentini, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Jones sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Jones to Engrossed Senate Bill No. 869 by Senator Jones

AMENDMENT NO. 1

On page 87, after line 14, insert the following:

"Section 31. In the case of any conflict with any provision regarding the membership of a board established by the Constitution of Louisiana, the conflicting provisions of this Act shall have no effect."

On motion of Senator Jones, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Dardenne sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 869 by Senator Jones

AMENDMENT NO. 1

On page 2, line 19, after "matters;" delete the remainder of the line and delete lines 20 and 21 and insert "to provide with regard to diversity; and to provide for related matters."

AMENDMENT NO. 2

On page 3, line 7, after "population", delete the remainder of the line and delete lines 8 and 9, and on line 10, delete "geographically distributed across the state" and insert "as near as practicable"

AMENDMENT NO. 3

On page 3, delete lines 24 and 25 and insert "**as near as practicable.** The commissioner of financial"

AMENDMENT NO. 4

On page 4, line 10, after "population", delete the remainder of the line and delete lines 11, 12 and 13, and insert "as near as practicable."

AMENDMENT NO. 5

On page 4, line 19, after "**population**" delete the remainder of the line and delete lines 20, 21 and 22, and insert "**as near as practicable.**"

AMENDMENT NO. 6

On page 5, line 2, after "**population**" delete the remainder of the line and delete lines 3 and 4, and insert "**as near as practicable.**"

AMENDMENT NO. 7

On page 5, line 25, after "**population**" delete the remainder of the line and delete lines 26, 27 and 28, and insert "**as near as practicable.** Members shall be appointed in accordance with the"

AMENDMENT NO. 8

On page 6, line 7, after "**population**" delete the remainder of the line and delete lines 8 and 9, and on line 10 delete "**across this state**", and insert "**as near as practicable**"

AMENDMENT NO. 9

On page 7, line 3, after "population" delete the remainder of the line and delete lines 4, 5 and 6, and insert "as near as practicable."

AMENDMENT NO. 10

On page 7, line 10, after "**population**" delete the remainder of the line and delete lines 11, 12 and 13, and insert "**as near as practicable.** Each appointment by the"

AMENDMENT NO. 11

On page 7, line 18, after "**population**" delete the remainder of the line and delete lines 19, 20 and 21, and insert "**as near as practicable.** Each appointment by the"

AMENDMENT NO. 12

On page 7, line 27, after "**population**" delete the remainder of the line and delete line 28, and on page 8, delete lines 1, 2, 3 and on line 4 delete "**board shall be considered**" and insert "**as near as practicable**"

AMENDMENT NO. 13

On page 8, line 9, after "**population**" delete the remainder of the line and delete lines 10, 11 and 12, and insert "**as near as practicable.** Each appointment"

AMENDMENT NO. 14

On page 9 delete lines 1 and 2, and insert "**as near as practicable.** Each appointment by the governor"

AMENDMENT NO. 15

On page 9, line 7, after "**population**" delete the remainder of the line and delete lines 8, 9, 10 and 11, and at the beginning of line 12 delete "**shall be considered**" and insert "**as near as practicable**"

# Page 26 SENATE

May 12, 2004

## 24th DAY'S PROCEEDINGS

### AMENDMENT NO. 16

On page 9, line 21, after “**population**” delete the remainder of the line and delete lines 22, 23 and 24 and insert “**as near as practicable.** **Members shall be appointed** in accordance with the”

### AMENDMENT NO. 17

On page 10, line 1, after “**population**” delete the remainder of the line and delete lines 2, 3 and 4, and insert “**as near as practicable.** Each appointment”

### AMENDMENT NO. 18

On page 10, line 11, after “**population**” delete the remainder of the line and lines 12 and 13 and insert “**as near as practicable.**”

### AMENDMENT NO. 19

On page 10, line 20, after “**population**” delete the remainder of the line and delete lines 21, 22 and 23, and insert “**as near as practicable.** Each appointment”

### AMENDMENT NO. 20

On page 11, line 1, after “**population**” delete the remainder of the line and delete lines 2 and 3, and insert “**as near as practicable.**”

### AMENDMENT NO. 21

On page 11, line 11, after “population” delete the remainder of the line and delete lines 12, 13 and 14, and insert “as near as practicable.”

### AMENDMENT NO. 22

On page 11, line 20, after “population” delete the remainder of the line and delete lines 21 and 22, and insert “as near as practicable.”

### AMENDMENT NO. 23

On page 11, line 26, after “**population**” delete the remainder of the line and delete lines 27, 28 and 29, and on page 12, delete line 1 and at the beginning of line 2, delete “**board shall be considered**” and insert “**as near as practicable**”

### AMENDMENT NO. 24

On page 12, line 13, after “**population**” delete the remainder of the line and delete lines 14, 15, 16, 17 and at the beginning of line 18, delete “**shall be considered**” and insert “**as near as practicable**”

### AMENDMENT NO. 25

On page 13, line 5, after “**population**” delete the remainder of the line and delete lines 6, 7 and 8 and at the beginning of line 9, delete “**considered**” and insert “**as near as practicable**”

### AMENDMENT NO. 26

On page 13, line 21, after “population” delete the remainder of the line and delete lines 22, 23 and 24 and insert “as near as practicable.”

### AMENDMENT NO. 27

On page 13, line 28, after “**population**” delete the remainder of the line and delete line 29 and on page 14, delete lines 1 and 2, and insert “**as near as practicable.** Each appointment by the”

### AMENDMENT NO. 28

On page 14, line 8, after “**population**” delete the remainder of the line and delete lines 9, 10, 11, 12 and at the beginning of line 13, delete “**shall be considered**” and insert “**as near as practicable**”

### AMENDMENT NO. 29

On page 14, line 20, after “**population**” delete the remainder of the line and delete lines 21 and 22, and at the beginning of line 23, delete “**across the state**” and insert “**as near as practicable**”

### AMENDMENT NO. 30

On page 15, line 4, after “**population**” delete the remainder of the line and delete lines 5, 6, 7 and 8, and insert “**as near as practicable.** All”

### AMENDMENT NO. 31

On page 15, line 22, after “**population**” delete the remainder of the line and delete lines 23, 24, 25 and at the beginning of line 26 delete “**mission of the board shall be considered**” and insert “**as near as practicable**”

### AMENDMENT NO. 32

On page 16, line 3, after “**population**” delete the remainder of the line and delete lines 4 and 5 and at the beginning of line 6, delete “**geographically distributed across the state**” and insert “**as near as practicable**”

### AMENDMENT NO. 33

On page 16, line 11, after “**population**” delete the remainder of the line and delete lines 12, 13, 14, 15 and at the beginning of line 16, delete “**board shall be considered**” and insert “**as near as practicable**”

### AMENDMENT NO. 34

On page 16, line 27, after “population” delete the remainder of the line and delete line 28 and insert “as near as practicable.”

### AMENDMENT NO. 35

On page 17, line 9, after “**population**” delete the remainder of the line and delete lines 10 and 11 and at the beginning of line 12, delete “**across the state**” and insert “**as near as practicable**”

### AMENDMENT NO. 36

On page 17, line 24, after “**population**” delete the remainder of the line and delete lines 25, 26, and 27 and insert “**as near as practicable** and shall include the following:”

### AMENDMENT NO. 37

On page 18, line 5, after “**population**” delete the remainder of the line and delete lines 6 and 7 and insert “**as near as practicable.**”

### AMENDMENT NO. 38

On page 18, line 18 after “population” delete the remainder of the line and delete lines 19, 20, 21 and 22 and insert “as near as practicable.”

### AMENDMENT NO. 39

On page 18, line 27, after “**population**” delete the remainder of the line and delete lines 28 and 29 and on page 19, delete lines 1 and 2, and at the beginning of line 3 delete “**shall be considered**” and insert “**as near as practicable**”

### AMENDMENT NO. 40

On page 19, line 10, after “**population**” delete the remainder of the line and delete lines 11, 12, 13, 14 and at the beginning of line 15, delete “**shall be considered**” and insert “**as near as practicable**”

#### AMENDMENT NO. 41

On page 19, line 23, after “**population**” delete the remainder of the line and delete lines 24, 25, 26, 27 and insert “**as near as practicable and shall be considered** subject to”

#### AMENDMENT NO. 42

On page 20, line 5, after “population” delete the remainder of the line and delete lines 6, 7, 8 and 9, and insert “as near as practicable.”

#### AMENDMENT NO. 43

On page 20, line 14, after “population” delete the remainder of the line and delete lines 15, 16, 17 and 18 and insert “as near as practicable.”

#### AMENDMENT NO. 44

On page 20, line 25, after “**population**” delete the remainder of the line and delete lines 26, 27, 28 and 29 and insert “**as near as practicable.**”

#### AMENDMENT NO. 45

On page 21, line 9, after “population” delete the remainder of the line and delete lines 10, 11, 12, 13 and at the beginning of line 14, delete “**shall be considered**” and insert “**as near as practicable**”

#### AMENDMENT NO. 46

On page 21, line 22, after “**population**” delete the remainder of the line and delete lines 23, 24, 25, 26 and at the beginning of line 27, delete “**board shall be considered**” and insert “**as near as practicable**”

#### AMENDMENT NO. 47

On page 22, line 5, after “**population**” delete the remainder of the line and delete lines 6, 7, 8 and 9 and at the beginning of line 10 delete “**board shall be considered**” and insert “**as near as practicable**”

#### AMENDMENT NO. 48

On page 22, line 26, after “population” delete the remainder of the line and delete lines 27, 28 and 29 and on page 23, delete line 1 and insert “as near as practicable.”

#### AMENDMENT NO. 49

On page 23, line 8, after “**population**” delete the remainder of the line and delete lines 9, 10, 11 and 12 and at the beginning of line 13, delete “**shall be considered**” and insert “**as near as practicable**”

#### AMENDMENT NO. 50

On page 24, line 1, after “**population**” delete the remainder of the line and delete lines 2, 3 and 4 and insert “**as near as practicable.** Except for the legislative members”

#### AMENDMENT NO. 51

On page 25, line 2, after “**population**” delete the remainder of the line and delete lines 3, 4, 5, 6 and 7, and insert “**as near as practicable.**”

#### AMENDMENT NO. 52

On page 25, line 12, after “**population**” delete the remainder of the line and delete lines 13, 14, 15 and 16 and insert “**as near as practicable.**”

#### AMENDMENT NO. 53

On page 25, line 22, after “**population**” delete the remainder of the line and delete lines 23, 24, 25, 26 and at the beginning of line 27, delete “**board shall be considered**” and insert “**as near as practicable**”

#### AMENDMENT NO. 54

On page 26, line 5, after “population” delete the remainder of the line and delete lines 6, 7, 8 and 9 and insert “as near as practicable.”

#### AMENDMENT NO. 55

On page 26, line 21, after “population” delete the remainder of the line and delete lines 22 and 23 and insert “as near as practicable.”

#### AMENDMENT NO. 56

On page 27, delete lines 5, 6, 7, 8 and at the beginning of line 9 delete “**board shall be considered**” and insert “**as near as practicable**”

#### AMENDMENT NO. 57

On page 27, line 24 after “board” delete the remainder of the line and on line 25 delete “and cultural diversity of the population of the state” and insert “**shall be representative of the state’s population as near as practicable**”

#### AMENDMENT NO. 58

On page 28, line 4, after “**population**” delete the remainder of the line and delete lines 5 and 6 and at the beginning of line 7 delete “**distributed across the state**” and insert “**as near as practicable**”

#### AMENDMENT NO. 59

On page 28, line 14, after “**population**” delete the remainder of the line and delete lines 15 and 16 and insert “**as near as practicable.**”

#### AMENDMENT NO. 60

On page 28, line 25, after “**population**” delete the remainder of the line and delete lines 26 and 27 and insert “**as near as practicable.**”

#### AMENDMENT NO. 61

On page 29, line 13, after “population” delete the remainder of the line and delete lines 14, 15, 16 and 17 and insert “as near as practicable.”

#### AMENDMENT NO. 62

On page 29, line 28, after “**population**” delete the remainder of the line and delete line 29 and on page 30 delete lines 1, 2 and 3 and insert “**as near as practicable. Each**”

#### AMENDMENT NO. 63

On page 30, line 14, after “**population**” delete the remainder of the line and delete lines 15 and 16 and insert “**as near as practicable.**”

#### AMENDMENT NO. 64

On page 31, line 10, after “population” delete the remainder of the line and delete lines 11, 12 and 13 and insert “as near as practicable.”

#### AMENDMENT NO. 65

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## 24th DAY'S PROCEEDINGS

On page 31, line 23, after “**population**” delete the remainder of the line and delete lines 24, 25 and 26 and insert “**as near as practicable.**”

### AMENDMENT NO. 66

On page 32, line 4, after “**population**” delete the remainder of the line and delete line 5 and insert “**as near as practicable and** subject”

### AMENDMENT NO. 67

On page 32, line 14, after “**population**” delete the remainder of the line and delete lines 15, 16, 17 and at the beginning of line 18 delete “**across the state**” and insert “**as near as practicable**”

### AMENDMENT NO. 68

On page 33, line 15, after “population” delete the remainder of the line and delete lines 16, 17 and 18 and insert “as near as practicable.”

### AMENDMENT NO. 69

On page 33, line 26, after “population” delete the remainder of the line and delete lines 27, 28, and 29 and insert “as near as practicable.”

### AMENDMENT NO. 70

On page 34, line 7, after “population” delete the remainder of the line and delete lines 8 and 9 and insert “as near as practicable.”

### AMENDMENT NO. 71

On page 34, line 16, after “**population**” delete the remainder of the line and delete lines 17, 18, 19, and 20 and insert “ **as near as practicable.** Each person”

### AMENDMENT NO. 72

On page 35, line 1, after “**population**” delete the remainder of the line and delete lines 2, 3, 4, and 5 and insert “**as near as practicable.** Each”

### AMENDMENT NO. 73

On page 35, line 12, after “**population**” delete the remainder of the line and delete lines 13, 14, and 15 and at the beginning of line 16, delete “**mission of the board shall be considered**” and insert “**as near as practicable**”

### AMENDMENT NO. 74

On page 36, line 1, after “population” delete the remainder of the line and delete lines 2, 3, 4 and 5 and insert “as near as practicable.”

### AMENDMENT NO. 75

On page 36, line 11, after “population” delete the remainder of the line and delete lines 12 and 13 and insert “as near as practicable.”

### AMENDMENT NO. 76

On page 36, line 29, after “population” delete the remainder of the line and on page 37 delete lines 1 and 2 and insert “as near as practicable.”

### AMENDMENT NO. 77

On page 37, line 8, after “**population**” delete the remainder of the line and delete lines 9 and 10 and at the beginning of line 11 delete “**across the state**” and insert “**as near as practicable**”

### AMENDMENT NO. 78

On page 38, line 5, after “population” delete the remainder of the line and delete lines 6, 7, 8 and 9 and insert “as near as practicable.”

### AMENDMENT NO. 79

On page 38, line 22, after “**population**” delete the remainder of the line and delete lines 23 and 24 and at the beginning of line 25 delete “**board shall be considered**” and insert “as **near as practicable**”

### AMENDMENT NO. 80

On page 39, line 5, after “population” delete the remainder of the line and delete lines 6, 7, 8 and 9 and insert “as near as practicable.”

### AMENDMENT NO. 81

On page 39, line 17, after “population” delete the remainder of the line and delete lines 18, 19, 20 and 21 and insert “as near as practicable.”

### AMENDMENT NO. 82

On page 40, delete lines 1 through 4 and insert the following:

“(b) The board shall be representative of the state’s population as near as practicable.”

### AMENDMENT NO. 83

On page 40, delete lines 15 through 18 and insert the following:

“(b) The board shall be representative of the state’s population as near as practicable.”

### AMENDMENT NO. 84

On page 40, delete lines 24 through 27 and insert the following: “**The board shall be representative of the state’s population as near as practicable.** Each appointment by the governor”

### AMENDMENT NO. 85

On page 41, delete lines 6 through 10 and insert the following:

“(d) The board shall be representative of the state’s population as near as practicable.”

### AMENDMENT NO. 86

On page 41, delete lines 19 through 22 and insert the following:

“(2) The board shall be representative of the state’s population as near as practicable.”

### AMENDMENT NO. 87

On page 42, delete lines 4 through 7 and insert the following: “**The appointments by the governor shall be representative of the state’s population as near as practicable.**”

### AMENDMENT NO. 88

On page 42, delete lines 14 through 16 and insert the following: “**representative of the state’s population as near as practicable.**”

### AMENDMENT NO. 89

On page 42, delete lines 22 through 25 and insert the following:

“(d) The board shall be representative of the state’s population as near as practicable.”

### AMENDMENT NO. 90

On page 43, delete lines 2 through 5 and insert the following:

“(5) The advisory committee shall be representative of the state’s population as near as practicable.”

AMENDMENT NO. 91

On page 43, delete lines 10 through 12 and insert the following:

“(13) The committee shall be representative of the state’s population as near as practicable.”

AMENDMENT NO. 92

On page 43, delete lines 20 through 22 and insert the following:

“**population as near as practicable.**”

AMENDMENT NO. 93

On page 44, delete lines 1 through 3 and insert the following:

“(2) The committee shall be representative of the state’s population as near as practicable.”

AMENDMENT NO. 94

On page 44, delete lines 11 through 14 and insert the following:

“(2) The board shall be representative of the state’s population as near as practicable.”

AMENDMENT NO. 95

On page 44, delete lines 25 through 29 and insert the following:

“(B) The advisory committee shall be representative of the state’s population as near as practicable.”

AMENDMENT NO. 96

On page 45, delete lines 8 through 12 and insert the following:

“**shall be representative of the state’s population as near as practicable.** Each”

AMENDMENT NO. 97

On page 45, delete lines 18 through 21 and insert the following:

“C. **The appointed members shall be representative of the state’s population as near as practicable.**”

AMENDMENT NO. 98

On page 46, delete lines 8 through 11 and insert the following:

“(b) The board shall be representative of the state’s population as near as practicable.”

AMENDMENT NO. 99

On page 46, delete lines 24 through 29 and insert the following:

“B. The appointments by the governor shall be representative of the state’s population as near as practicable.”

AMENDMENT NO. 100

On page 47, delete lines 12 and 13 and insert the following:

“**population as near as practicable** and who shall serve”

AMENDMENT NO. 101

On page 48, delete lines 1 through 4 and insert the following:

“(2) The subcommittee members shall be representative of the state’s population as near as practicable.”

AMENDMENT NO. 102

On page 48, delete lines 10 through 13 and insert the following:

“**representative of the state’s population as near as practicable.**”

AMENDMENT NO. 103

On page 48, delete lines 20 through 23 and insert the following:

“governor. **The board shall be representative of the state’s population as near as practicable.**”

AMENDMENT NO. 104

On page 48, delete lines 27 and 28 and on page 49, delete lines 1 and 2 and insert the following:

“C. **The appointments by the governor shall be representative of the state’s population as near as practicable.**”

AMENDMENT NO. 105

On page 49, delete lines 10 through 12 and insert the following:

“(d) The additional board members appointed by the governor shall be representative of the state’s population as near as practicable.”

AMENDMENT NO. 106

On page 49, delete lines 20 through 22 and insert the following:

“(2) The board shall be representative of the state’s population as near as practicable.”

AMENDMENT NO. 107

On page 49, delete line 29 and on page 50, delete lines 1 and 2 and insert the following: “**population as near as practicable.**”

AMENDMENT NO. 108

On page 50, delete lines 19 through 22 and insert the following:

“(2) The board shall be representative of the state’s population as near as practicable.”

AMENDMENT NO. 109

On page 50, delete lines 28 and 29 and on page 51, delete lines 1 and 2 and insert the following: “by the governor **and shall be representative of the state’s population as near as practicable.**”

All seven members shall be”

AMENDMENT NO. 110

On page 51, delete lines 11 through 15 and insert the following:

“(b) **The appointment by the governor shall be representative of the state’s population as near as practicable.** Each appointment by the governor shall be submitted to the Senate”

AMENDMENT NO. 111

On page 51, delete lines 21 through 24 and insert the following:

“(c) **The appointments by the governor shall be representative of the state’s population as near as practicable.**”

AMENDMENT NO. 112

On page 52, delete lines 5 through 8 and insert the following:

“(e) The board shall be representative of the state’s population as near as practicable.”

AMENDMENT NO. 113

On page 52, delete lines 21 through 24 and insert the following:

“(2) The board shall be representative of the state’s population as near as practicable.”

AMENDMENT NO. 114

On page 53, delete lines 1 through 6 and insert the following:

“(6) The secretary’s appointment shall be representative of the state’s population as near as practicable.”

## AMENDMENT NO. 115

On page 53, delete lines 14 through 18 and insert the following:  
“**representative of the state’s population as near as practicable.**”

## AMENDMENT NO. 116

On page 53, delete lines 24 through 26 and insert the following:  
“(2) **The board shall be representative of the state’s population as near as practicable.** Each appointment by the governor shall be”

## AMENDMENT NO. 117

On page 54, delete lines 3 through 6 and insert the following:  
“C. **The committee shall be representative of the state’s population as near as practicable.** Each appointment”

## AMENDMENT NO. 118

On page 54, delete lines 22 through 24 and insert the following:  
“(2) The board shall be representative of the state’s population as near as practicable.”

## AMENDMENT NO. 119

On page 55, delete lines 1 through 4 and insert the following:  
“(3) The board shall be representative of the state’s population as near as practicable.”

## AMENDMENT NO. 120

On page 55, delete lines 15 through 19 and insert the following:  
“(2) The board shall be representative of the state’s population as near as practicable”

## AMENDMENT NO. 121

On page 55, delete lines 24 through 28 and insert the following:  
“**population as near as practicable.** Each appointment by the governor shall”

## AMENDMENT NO. 122

On page 56, delete lines 20 through 23 and insert the following:  
“(2) The board shall be representative of the state’s population as near as practicable.”

## AMENDMENT NO. 123

On page 57, delete lines 5 through 8 and insert the following:  
“(2) The board shall be representative of the state’s population as near as practicable.”

## AMENDMENT NO. 124

On page 57, delete lines 27 through 29 and insert the following:  
“**(3) The board shall be representative of the state’s population as near as practicable.**”

## AMENDMENT NO. 125

On page 58, delete lines 9 through 11 and insert the following:  
“(2)(a) **The board shall be representative of the state’s population as near as practicable.**”

## AMENDMENT NO. 126

On page 59, delete lines 11 through 15 and insert “population as near as practicable.”

## AMENDMENT NO. 127

On page 60, delete lines 10 through 13 and insert ‘**state’s population as near as practicable.**’

## AMENDMENT NO. 128

On page 61, line 5 after “population” delete the remainder of the line and delete lines 6 through 8 and insert the following:  
“**as near as practicable, and who are appointed by the governor shall** have a background and”

## AMENDMENT NO. 129

On page 61, delete lines 21 through 26 and insert “population as near as practicable.”

## AMENDMENT NO. 130

On page 62, delete lines 3 through 8 and insert the following:  
“C. The board shall be representative of the state’s population as near as practicable.”

## AMENDMENT NO. 131

On page 62, delete lines 13 through 18 and insert the following:  
“C. The board shall be representative of the state’s population as near as practicable.”

## AMENDMENT NO. 132

On page 63, delete lines 9 through 14 and insert the following:

“(2) **The board shall be representative of the state’s population as near as practicable.**”

## AMENDMENT NO. 133

On page 63, delete lines 19 through 23 and insert the following:  
“**representative of the state’s population as near as practicable. Each**”

## AMENDMENT NO. 134

On page 64, delete lines 7 through 10 and insert the following:  
“(2) The commission shall be representative of the state’s population as near as practicable.”

## AMENDMENT NO. 135

On page 64, delete lines 18 through 21 and insert the following:  
“(i) The panel shall be representative of the state’s population as near as practicable.”

## AMENDMENT NO. 136

On page 64, delete lines 27 through 29 and on page 65 delete line 1 and insert the following:  
“(i) The board shall be representative of the state’s population as near as practicable.”

## AMENDMENT NO. 137

On page 65, delete lines 5 through 8 and insert the following:  
“(2) **The board shall be representative of the state’s population as near as practicable.** Each appointment by the”

## AMENDMENT NO. 138

On page 65, delete lines 19 through 22 and insert the following:  
“(b) The board shall be representative of the state’s population as near as practicable.”

AMENDMENT NO. 139

On page 65, delete lines 27 through 29 and on page 66, delete line 1 and insert the following:

"D. The council shall be representative of the state's population as near as practicable."

AMENDMENT NO. 140

On page 66, delete lines 7 through 10 and insert the following:

"C. The board shall be representative of the state's population as near a practicable."

AMENDMENT NO. 141

On page 67, delete lines 11 through 14 and insert the following:

"(4) The board shall be representative of the state's population as near as practicable."

AMENDMENT NO. 142

On page 67, delete lines 19 through 22 and insert the following:

"(3) The board shall be representative of the state's population as near as practicable."

AMENDMENT NO. 143

On page 67, delete line 28 and on page 68, delete lines 1 through 3 and insert the following:

"E. The commission shall be representative of the state's population as near as practicable."

AMENDMENT NO. 144

On page 68, delete lines 13 through 16 and insert the following:

**"representative of the state's population as near as practicable."**

AMENDMENT NO. 145

On page 68, delete lines 21 through 23 and insert the following:

"H. The panel shall be representative of the state's population as near as practicable."

AMENDMENT NO. 146

On page 68, delete lines 28 and 29 and on page 69, delete lines 1 and 2 and insert the following:

"(4) The committee shall be representative of the state's population as near as practicable."

AMENDMENT NO. 147

On page 69, delete lines 11 through 14 and insert the following:

"(b) The council shall be representative of the state's population as near as practicable."

AMENDMENT NO. 148

On page 69, delete lines 24 through 26 and insert the following:

"council. **The council shall be representative of the state's population as near as practicable.**"

AMENDMENT NO. 149

On page 70, delete lines 4 through 7 and insert the following:

"(3) The commission shall be representative of the state's population as near as practicable."

AMENDMENT NO. 150

On page 70, delete lines 16 through 21 and insert the following:

"board's membership shall be representative of the state's population as near as practicable."

AMENDMENT NO. 151

On page 70, delete lines 26 through 29 and on page 71, delete lines 1 and 2 and insert the following:

"D. The committee shall be representative of the state's population as near as practicable."

AMENDMENT NO. 152

On page 71, line 9 after "**practicable**" insert a period "." and delete the remainder of the line and delete lines 10 and 11.

AMENDMENT NO. 153

On page 71, delete lines 18 and 19 and insert the following:

**"population as near as practicable** and who shall be from nominees who are"

AMENDMENT NO. 154

On page 72, delete lines 2 through 6 and insert the following:

"B. The commission shall be representative of the state's population as near as practicable."

AMENDMENT NO. 155

On page 72, delete lines 14 through 17 and insert the following:

"H. The board shall be representative of the state's population as near as practicable."

AMENDMENT NO. 156

On page 72, delete lines 23 through 25 and insert the following:

"G. The committee shall be representative of the state's population as near as practicable."

AMENDMENT NO. 157

On page 73, delete lines 10 through 14 and insert the following:

**"representative of the state's population as near as practicable."**

AMENDMENT NO. 158

On page 73, delete lines 22 through 25 and insert the following:

"(2) The council shall be representative of the state's population as near as practicable."

AMENDMENT NO. 159

On page 74, delete lines 5 through 9 and insert the following:

**"state's population as near as practicable."**

AMENDMENT NO. 160

On page 74, at the end of line 15 delete "**by**" and delete lines 16 and 17 and insert the following: **"of the state's population as near as practicable."**

AMENDMENT NO. 161

On page 75, delete lines 3 through 8 and insert the following:

"the state. **The commission shall be representative of the state's population as near as practicable.**"

AMENDMENT NO. 162

On page 75, delete lines 19 through 22 and insert the following:

**"of the state's population as near as practicable.** The commission shall be reflective of"

AMENDMENT NO. 163

On page 76, delete lines 1 through 5 and insert the following:

"G. The board shall be representative of the state's population as near as practicable."

AMENDMENT NO. 164

On page 76, delete lines 12 through 16 and insert the following:

"(2) The council shall be representative of the state's population as near as practicable."

AMENDMENT NO. 165

On page 76, delete lines 21 through 26 and insert the following:

**"C.(1) The board shall be representative of the state's population as near as practicable."**

AMENDMENT NO. 166

On page 77, delete lines 8 through 12 and insert the following:

"D. The board shall be representative of the state's population as near as practicable."

AMENDMENT NO. 167

On page 77, delete lines 17 through 21 and insert the following:

"C. The board shall be representative of the state's population as near as practicable."

AMENDMENT NO. 168

On page 77, delete line 29 and on page 78, delete lines 1 through 4 and insert the following:

"(4) The board shall be representative of the state's population as near as practicable."

AMENDMENT NO. 169

On page 78, delete lines 12 through 16 and insert the following:

"D. The commission shall be representative of the state's population as near as practicable."

AMENDMENT NO. 170

On page 79, delete lines 3 through 7 and insert the following:

"B. The council shall be representative of the state's population as near as practicable."

AMENDMENT NO. 171

On page 79, delete lines 18 through 21 and insert the following:

"(2) The commission shall be representative of the state's population as near as practicable."

AMENDMENT NO. 172

On page 79, delete line 29 and on page 80, delete lines 1 through 4 and insert the following:

"(2) The authority shall be representative of the state's population as near as practicable."

AMENDMENT NO. 173

On page 80, delete lines 12 through 17 and insert the following:

"D. The commission shall be representative of the state's population as near as practicable."

AMENDMENT NO. 174

On page 80, delete lines 24 through 27 and insert the following:

"(5) The board shall be representative of the state's population as near as practicable."

AMENDMENT NO. 175

On page 81, delete lines 4 through 8 and insert the following:

"J. The council shall be representative of the state's population as near as practicable."

AMENDMENT NO. 176

On page 81, delete lines 16 through 18 and insert the following:

"(4) The commission shall be representative of the state's population as near as practicable."

AMENDMENT NO. 177

On page 82, delete lines 2 through 6 and insert the following:

"(2) The board shall be representative of the state's population as near as practicable."

AMENDMENT NO. 178

On page 82, delete lines 11 through 14 and insert the following:

"D. The commission shall be representative of the state's population as near as practicable."

AMENDMENT NO. 179

On page 82, delete lines 20 through 23 and insert the following:

"D. The commission shall be representative of the state's population as near as practicable."

AMENDMENT NO. 180

On page 82, delete lines 28 and 29 and on page 83, delete lines 1 and 2 and insert the following:

"D. The district shall be representative of the state's population as near as practicable."

AMENDMENT NO. 181

On page 83, delete lines 10 through 12 and insert the following:

"(2) The commission shall be representative of the state's population as near as practicable."

AMENDMENT NO. 182

On page 83, delete lines 24 through 28 and insert the following:

"(2) The board shall be representative of the state's population as near as practicable."

AMENDMENT NO. 183

On page 84, delete lines 6 through 9 and insert the following:

**"state's population as near as practicable."**

AMENDMENT NO. 184

On page 85, line 2 after "women." delete the remainder of the line and delete lines 3 through 5.

AMENDMENT NO. 185

On page 85, line 15, after "**population**" delete the remainder of the line and delete lines 16 and 17 and insert "**as near as practicable.**"

AMENDMENT NO. 186

On page 85, delete lines 22 through 26 and insert the following:

"F. The board shall be representative of the state's population as near as practicable."

AMENDMENT NO. 187

On page 86, delete lines 9 through 13 and insert the following:

**"representative of the state's population as near as practicable."**

AMENDMENT NO. 188

On page 86, delete lines 25 through 29 and insert the following:

“(2) The board shall be representative of the state’s population as near as practicable.”

AMENDMENT NO. 189

On page 87, delete lines 6 through 10 and insert the following:

“(4) The board shall be representative of the state’s population as near as practicable.”

On motion of Senator Dardenne, the amendments were adopted.

The bill was read by title. Senator Jones moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dardenne	Jones
Bajoie	Duplessis	Lentini
Barham	Dupre	Marionneaux
Boasso	Fields	McPherson
Boissiere	Heitmeier	Mount
Chaisson	Holden	Theunissen
Cheek	Irons	Ullo
Cravins	Jackson	
Total—23		

**NAYS**

Ellington	Hollis	Smith
Fontenot	Kostelka	
Hainkel	Michot	
Total—7		

**ABSENT**

Adley	Gautreaux, B	Nevers
Amedee	Gautreaux, N	Romero
Cain	Malone	Schedler
Total—9		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Called from the Calendar**

Senator Lentini asked that Senate Bill No. 381 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 381—**  
BY SENATOR LENTINI**AN ACT**

To amend and reenact R.S. 40:1299.41(A)(16), relative to medical malpractice; to provide relative to the Patient's Compensation Fund; to include students being trained as paramedics under the

coverage of such fund; to provide for the definition of "ambulance service"; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Malone
Amedee	Ellington	Marionneaux
Bajoie	Fields	McPherson
Barham	Fontenot	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Lentini	
Total—32		

**NAYS**

Kostelka
Total—1

**ABSENT**

Adley	Gautreaux, B	Jones
Cain	Gautreaux, N	Nevers
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**House Concurrent Resolutions  
on Second Reading  
Reported by Committees**

The following House Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 46—**

BY REPRESENTATIVE LAMBERT

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to study the feasibility of constructing an interstate interchange along Interstate 10 at Louisiana Highway 74 in Ascension Parish.

Reported favorably by the Committee on Transportation, Highways, and Public Works.

The resolution was read by title. Senator Fontenot moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS		
Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Romero
Cain	Holden	Schedler
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		
NAYS		
Total—0		
ABSENT		
Gautreaux, N	Nevers	
Total—2		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 55—**

BY REPRESENTATIVE FAUCHEUX

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to study the practicality and feasibility of designing and utilizing traffic roundabouts as an alternative to traffic signals at heavily traveled and congested intersections along state highways and to report its findings to the House and Senate Transportation, Highways and Public Works Committees prior to the convening of the 2005 Regular Session.

Reported favorably by the Committee on Transportation, Highways, and Public Works.

The resolution was read by title. Senator Chaisson moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS		
Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount

Boasso	Hainkel	Nevers
Boissiere	Heitmeier	Romero
Cain	Holden	Schedler
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Kostelka	
Duplessis	Lentini	
Total—37		

**NAYS**

Total—0

**ABSENT**

Gautreaux, N	Jones
Total—2	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 61—**

BY REPRESENTATIVE MCDONALD

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to appropriate funds for design and construction assistance for water-related environmental infrastructure and resource development and protection projects in Louisiana.

Reported favorably by the Committee on Environmental Quality.

The resolution was read by title. Senator Bajoie moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS		
Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—38		

**NAYS**

Total—0

**ABSENT**

Gautreaux, N	
Total—1	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

### House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

#### HOUSE BILL NO. 65—

BY REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 3:2133, relative to the prevention of contagious or communicable diseases in animals; to provide for penalties for improper disposal of certain animal carcasses or failure to restrain certain animals; and to provide for related matters.

The bill was read by title. Senator Smith moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Duplessis	Lentini
Adley	Dupre	Malone
Amedee	Ellington	Marionneaux
Bajoie	Fields	McPherson
Barham	Fontenot	Michot
Boasso	Gautreaux, B	Mount
Boissiere	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Total—33		

#### NAYS

Cain  
Total—1

#### ABSENT

Gautreaux, N	Heitmeier	Nevers
Hainkel	Kostelka	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

#### HOUSE BILL NO. 585—

BY REPRESENTATIVE HOPKINS

AN ACT

To enact R.S. 27:325 and to repeal R.S. 27:307(E), relative to the Video Draw Poker Devices Control Law; to authorize certain advertising by video draw poker licensees; to authorize the promotion of the play of video draw poker devices; to repeal advertising restrictions on the outside of video draw poker establishments; and to provide for related matters.

On motion of Senator Cheek, the bill was read by title and returned to the Calendar, subject to call.

#### HOUSE BILL NO. 154—

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 14:112.2 and 112.3, relative to the fraudulent portrayal of a law enforcement officer; to create the crime of fraudulent portrayal of a law enforcement officer; to create the crime of aiding and abetting fraudulent portrayal of a law enforcement officer; to provide for penalties; to provide for definitions; and to provide for related matters.

### Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Reengrossed House Bill No. 154 by Representative Martiny

#### AMENDMENT NO. 1

On page 1, line 11, between "to" and "public" insert "a" and at the end of the line change "buildings" to "building."

#### AMENDMENT NO. 2

On page 1, at the beginning of line 12, change "or facilities without incurring any expenses" to "facility or service"

#### AMENDMENT NO. 3

On page 2, line 10, after "C." change "Access to public buildings and services" to "Access to a public building, facility or service"

On motion of Senator Lentini, the amendments were adopted.

### Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Reengrossed House Bill No. 154 by Representative Martiny

#### AMENDMENT NO. 1

On page 1, at the beginning of line 3, after "officer" and before the semicolon ":", insert "or firefighter"

#### AMENDMENT NO. 2

On page 1, at the end of line 3, after "officer" and before the semicolon ":", insert "or firefighter"

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## 24th DAY'S PROCEEDINGS

### AMENDMENT NO. 3

On page 1, at the beginning of line 5, after "officer" and before the semicolon ";," insert "or firefighter"

### AMENDMENT NO. 4

On page 1, line 9, after "officer" insert "or firefighter"

### AMENDMENT NO. 5

On page 1, line 10, after "officer" insert "or firefighter"

### AMENDMENT NO. 6

On page 1, line 11, after "officer" insert "or firefighter"

### AMENDMENT NO. 7

On page 1, line 14, after "officer" insert "or firefighter"

### AMENDMENT NO. 8

On page 1, line 18, after "officer" and before the period "." insert "or firefighter"

### AMENDMENT NO. 9

On page 2, line 5, after "officer" and before the period "." insert "or firefighter"

### AMENDMENT NO. 10

On page 2, line 6, after "officer" and before the quote "" insert "or firefighter"

### AMENDMENT NO. 11

On page 2, line 25, after "officer" insert "or firefighter"

### AMENDMENT NO. 12

On page 2, line 27, after "officer" insert "or firefighter"

### AMENDMENT NO. 13

On page 2, line 28, after "officer" insert "or firefighter"

### AMENDMENT NO. 14

On page 3, at the beginning of line 2, after "officer" and before the period "." insert "or firefighter"

### AMENDMENT NO. 15

On page 3, line 2, after "officer" and before the quote "" insert "or firefighter"

### AMENDMENT NO. 16

On page 3, line 5, after "officer" insert "or firefighter"

On motion of Senator Boissiere, the amendments were adopted.

The bill was read by title. Senator Lentini moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone

Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Romero
Cain	Holden	Schedler
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		

NAYS

Total—0

ABSENT

Gautreaux, N	Nevers
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### **HOUSE BILL NO. 355—**

BY REPRESENTATIVE MARTINY

#### AN ACT

To amend and reenact R.S. 15:571.4(B)(1), relative to diminution of sentence; to authorize the forfeiture of good time in certain circumstances involving escape; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Duplessis	Kostelka
Adley	Dupre	Lentini
Amedee	Ellington	Malone
Bajoie	Fields	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Hainkel	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Gautreaux, N	Heitmeier	Nevers
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 599—**

BY REPRESENTATIVES GARY SMITH AND PIERRE AND  
SENATOR CHAISSON

## AN ACT

To amend and reenact R.S. 56:1855(L), relative to scenic rivers; to authorize certain environmental remediation activities on Bayou Trepagnier; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

## YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Romero
Cain	Holden	Schedler
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		

## NAYS

Total—0

## ABSENT

Gautreaux, N	Nevers
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 711—**

BY REPRESENTATIVE BROOME

## AN ACT

To amend and reenact R.S. 22:669(A)(4) and (B), relative to certain mandated insurance benefits for mental illness; to provide relative to payable benefits and reimbursement for certain services provided by a social worker; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

## YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boasso	Heitmeier	Nevers
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Irons	Smith
Cheek	Jackson	Theunissen
Cravins	Jones	Ullo
Dardenne	Kostelka	
Duplessis	Lentini	
Total—37		

## NAYS

Total—0

## ABSENT

Gautreaux, N	Hainkel
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 203—**

BY REPRESENTATIVE FRITH

## AN ACT

To authorize and provide for the transfer of certain state property in Vermilion Parish to the Vermilion Parish Police Jury; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

**HOUSE BILL NO. 327—**

BY REPRESENTATIVE DURAND

## AN ACT

To authorize and provide for the transfer of certain state property situated in St. Martin Parish to the respective lessees; to provide for certain terms and conditions; and to provide for related matters.

The bill was read by title. Senator Romero moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

## YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux

Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Gautreaux, N  
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Romero moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 637—**

BY REPRESENTATIVE QUEZAIRE

AN ACT

To authorize and provide for the transfer of certain state property in Sabine Parish to the Department of Transportation and Development; and to provide for related matters.

The bill was read by title. Senator Smith moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Gautreaux, N  
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 657—**

BY REPRESENTATIVE QUEZAIRE

AN ACT

To authorize and provide for the transfer of certain state property in Assumption Parish to the Assumption Parish Police Jury; and to provide for related matters.

**Floor Amendments Sent Up**

Senator McPherson sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 657 by Representative Quezaire

**AMENDMENT NO. 1**

On page 2, line 10, delete "Jury." and insert "Jury, in exchange of consideration proportionate to the appraised value of the property."

On motion of Senator McPherson, the amendments were adopted.

The bill was read by title. Senator B. Gautreaux moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boasso	Hainkel	Nevers
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Irons	Smith
Cheek	Jackson	Theunissen
Cravins	Jones	Ullo
Dardenne	Kostelka	
Duplessis	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Gautreaux, N  
Total—2

Heitmeier

The Chair declared the amended bill was passed. The title was read and adopted. Senator B. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 914—**

BY REPRESENTATIVE MCVEA

**AN ACT**

To authorize and provide for the exchange of certain state property in West Feliciana Parish to West Feliciana Parish Police Jury; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Lentini
Amedee	Ellington	Malone
Bajoie	Fields	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Irons	Schedler
Cravins	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Adley	Gautreaux, N	Hollis
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 944—**

BY REPRESENTATIVES SCALISE, BOWLER, ALARIO, ANSARDI, BRUNEAU, LABRUZZO, LANCASTER, MARTINY, AND WOOTON AND SENATORS BOISSIERE, HEITMEIER, HOLLIS, LENTINI, AND ULLO

**AN ACT**

To enact R.S. 33:4570.12, relative to naming of public grounds; to name a portion of LaSalle Park in Jefferson Parish as the Oswald-Dubea Arboretum and Nature Center of LaSalle Park; to provide for an exemption from R.S. 14:316; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Malone
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Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boasso	Hainkel	Nevers
Boissiere	Heitmeier	Romero
Cain	Holden	Schedler
Chaisson	Irons	Smith
Cheek	Jackson	Theunissen
Cravins	Jones	Ullo
Dardenne	Kostelka	
Duplessis	Lentini	
Total—37		

**NAYS**

Total—0

**ABSENT**

Gautreaux, N	Hollis
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Rules Suspended**

Senator Ellington asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House****PASSED SENATE BILLS AND JOINT RESOLUTIONS**

May 12, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

**SENATE BILL NO. 193—**

BY SENATORS BAJOE, SCHEDLER AND HOLDEN

**AN ACT**

To enact Chapter 3 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:311 through 313, relative to children's mental health services; to provide for the creation of a pilot program for a system of care for the delivery of children's mental health services; to provide for the establishment of the Louisiana Youth Enhanced Services consortium; to provide for membership in the consortium; to provide for the jurisdiction of the consortium; to provide guidelines and principles to be used in preparing such a plan; and to provide for related matters.

Reported without amendments.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

May 12, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 103—**  
BY SENATOR MICHOT

**A CONCURRENT RESOLUTION**

To designate May 12, 2004 as "Junior Achievement Day" at the legislature.

Reported without amendments.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Introduction of Resolutions,  
Senate and Concurrent**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 80—**  
BY SENATOR JONES

**A RESOLUTION**

To urge and request the Committee on Senate and Governmental Affairs to meet and study the pay of Senate employees and recommend a uniform pay schedule.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

**SENATE RESOLUTION NO. 81—**  
BY SENATOR THEUNISSEN

**A RESOLUTION**

To commend Mrs. Donna English Walker for forty-four years of service to the state as a classroom instructor in the Acadia Parish School System.

On motion of Senator Theunissen, the resolution was read by title and adopted.

**SENATE CONCURRENT RESOLUTION NO. 105—**  
BY SENATOR DUPRE

**A CONCURRENT RESOLUTION**

To recognize the Isle de Jean Charles Band of the Biloxi-Chitimacha Confederation of Muskogees ("BCCM"), the Bayou Lafourche Band of the BCCM, the Grand Caillou/Dulac Band of the BCCM, known collectively as the "BCCM Tribes" and the Points-au-Chien Indian Tribe ("PACIT")

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS**

May 12, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 620—**  
BY REPRESENTATIVE PIERRE

**AN ACT**

To enact R.S. 49:213.10(C), relative to venue; to provide for proper venue for certain actions where the state is a party; and to provide for related matters.

**HOUSE BILL NO. 648—**  
BY REPRESENTATIVE ALARIO

**AN ACT**

To amend and reenact R.S. 9:154(A)(16) and 165(B) and to enact R.S. 9:154(A)(17), relative to the Uniform Unclaimed Property Act; to provide for time periods for presumption of abandonment; to provide for administrative costs related to the sale of abandoned property; and to provide for related matters.

**HOUSE BILL NO. 652—**  
BY REPRESENTATIVE PIERRE

**AN ACT**

To amend and reenact R.S. 30:86(E)(2), relative to the Oilfield Site Restoration Fund; to provide relative to the amount of the fund that can be used by the Department of Natural Resources for administration; and to provide for related matters.

**HOUSE BILL NO. 792—**  
BY REPRESENTATIVE JOHNS

**AN ACT**

To amend and reenact R.S. 40:1299.41(A)(16), relative to medical malpractice; to provide relative to the definition of "ambulance service" under the Medical Malpractice Act; to include certain students under supervision of licensed health care providers within the definition of "ambulance service"; and to provide for related matters.

**HOUSE BILL NO. 953—**

BY REPRESENTATIVE MCVEA  
AN ACT

To amend and reenact R.S. 33:4303, relative to Gas Utility District No. 1 of West Feliciana Parish; to increase the membership of the board of commissioners of the district; to provide for the appointment and terms of office of board members; and to provide for related matters.

**HOUSE BILL NO. 960—**

BY REPRESENTATIVE FARRAR  
AN ACT

To enact R.S. 33:2740.25(D), relative to Rapides Parish and the cities of Alexandria and Pineville; to authorize the governing authorities of Rapides Parish and the cities of Alexandria and Pineville to levy a sales tax on cigarette papers; to provide for the dedication of the proceeds of the tax; and to provide for related matters.

**HOUSE BILL NO. 1023—**

BY REPRESENTATIVE QUEZAIRE  
AN ACT

To amend and reenact R.S. 32:420, relative to driver's license requirements; to provide for certain exemptions; and to provide for related matters.

**HOUSE BILL NO. 791—**

BY REPRESENTATIVE JOHNS  
AN ACT

To amend and reenact Code of Civil Procedure Article 893(A)(1), relative to pleadings; to provide for the pleading of damages; and to provide for related matters.

**HOUSE BILL NO. 1099—**

BY REPRESENTATIVE R. CARTER  
AN ACT

To enact R.S. 22:682, relative to automobile liability insurance; to provide for liability of owners of motor vehicles for certain operators excluded from coverage; and to provide for related matters.

**HOUSE BILL NO. 1109—**

BY REPRESENTATIVE T. POWELL  
AN ACT

To enact R.S. 33:3892.1, relative to sewerage districts; to provide relative to the powers granted to certain parish sewerage districts; and to provide for related matters.

**HOUSE BILL NO. 1147—**

BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 9:3198(A), relative to the property disclosure form; to require that it indicate prior zoning; and to provide for related matters.

**HOUSE BILL NO. 1313—**

BY REPRESENTATIVE MCDONALD  
AN ACT

To enact R.S.33:9033.4, relative to special districts; to create the City of Bastrop Special District; to provide for the powers and duties of the district, including the power to engage in tax increment financing; to provide for the governance of the district; to provide for the boundaries of the district; and to provide for related matters.

**HOUSE BILL NO. 1454—**

BY REPRESENTATIVE KENNEY  
AN ACT

To enact R.S. 33:4712.10, relative to naming a welcoming center; to authorize the municipal governing authority in certain municipalities to name a welcoming center in honor of a legislator; to provide limitations; and to provide for related matters.

**HOUSE BILL NO. 1480—**

BY REPRESENTATIVE FRITH  
AN ACT

To enact R.S. 9:1254, relative to certain enclosed estates; to provide for the right and servitude of passage on certain waterways; to provide for alternate waterways; to provide for applicability; to provide for clarification of existing law; to provide for application; and to provide for related matters.

**HOUSE BILL NO. 1483—**

BY REPRESENTATIVES ALARIO AND TRICHE  
AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

**HOUSE BILL NO. 1485—**

BY REPRESENTATIVES ALARIO AND TRICHE  
AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2004-2005; and to provide for related matters.

**HOUSE BILL NO. 1531—**

BY REPRESENTATIVE M. GUILLORY  
AN ACT

To amend and reenact R.S. 32:381(A), relative to the height of vehicles; to increase the maximum allowable height of vehicles; and to provide for related matters.

**HOUSE BILL NO. 1550—**

BY REPRESENTATIVE HEATON  
AN ACT

To enact R.S. 32:403.5, relative to drivers' licenses; to provide for the issuance of drivers' licenses to persons using bioptic telescopic lenses; to provide conditions and limitations for licensing; to provide driving restrictions; and to provide for related matters.

**HOUSE BILL NO.1702 (Substitute for House Bill No. 923 by Representative Hebert)—**

BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 22:3074(A), (B), and (D) and 3091(A) and to repeal R.S. 22:3072(D), relative to health insurance; to revise provisions for licensure and examinations of medical necessity review organizations; and to provide for related matters.

**HOUSE BILL NO. 1082—**

BY REPRESENTATIVE BURNS

AN ACT

To amend and reenact R.S. 33:102, 106, and 109 and to enact R.S. 33:101(5), 103.1, and 109.1, relative to parish and municipal planning commissions; to provide relative to training requirements of members of such commissions and members of advisory boards to such commissions; to provide relative to master plans adopted by such commissions; to provide relative to the relationship between such master plans and plans of the state and other political subdivisions; and to provide for related matters.

**HOUSE BILL NO. 230—**

BY REPRESENTATIVE PIERRE

AN ACT

To enact R.S. 15:144(E), relative to judicial district indigent defender boards; to provide for autonomy and independence of indigent defender boards and appointed counsel; and to provide for related matters.

**HOUSE BILL NO. 974—**

BY REPRESENTATIVES ARNOLD AND TUCKER

AN ACT

To enact R.S. 33:4570.21, to create the Algiers Park Commission; to provide relative to the purpose, membership, and powers of the commission; and to provide for related matters.

**HOUSE BILL NO. 1184—**

BY REPRESENTATIVES CAZAYOUX, BAYLOR, GLOVER, AND JACKSON

AN ACT

To amend and reenact R.S. 33:2477(4) and (5) and 2537(4) and (5), relative to municipal fire and police civil service; to provide for the length of time within which municipal fire and police civil service boards shall conduct certain investigations; and to provide for related matters.

**HOUSE BILL NO. 622—**

BY REPRESENTATIVE HEBERT

AN ACT

To enact R.S. 13:4611(1)(e)(iv) and (f) and Children's Code Article 1509(E)(4) and (F), relative to penalties for contempt of court; to authorize the court to award attorney fees; to provide for the modification of an order; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions  
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

**HOUSE BILL NO. 230—**

BY REPRESENTATIVE PIERRE

AN ACT

To enact R.S. 15:144(E), relative to judicial district indigent defender boards; to provide for autonomy and independence of indigent

defender boards and appointed counsel; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 620—**

BY REPRESENTATIVE PIERRE

AN ACT

To enact R.S. 49:213.10(C), relative to venue; to provide for proper venue for certain actions where the state is a party; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 622—**

BY REPRESENTATIVE HEBERT

AN ACT

To enact R.S. 13:4611(1)(e)(iv) and (f) and Children's Code Article 1509(E)(4) and (F), relative to penalties for contempt of court; to authorize the court to award attorney fees; to provide for the modification of an order; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 648—**

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 9:154(A)(16) and 165(B) and to enact R.S. 9:154(A)(17), relative to the Uniform Unclaimed Property Act; to provide for time periods for presumption of abandonment; to provide for administrative costs related to the sale of abandoned property; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 652—**

BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 30:86(E)(2), relative to the Oilfield Site Restoration Fund; to provide relative to the amount of the fund that can be used by the Department of Natural Resources for administration; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 791—**

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact Code of Civil Procedure Article 893(A)(1), relative to pleadings; to provide for the pleading of damages; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 792—**

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 40:1299.41(A)(16), relative to medical malpractice; to provide relative to the definition of "ambulance service" under the Medical Malpractice Act; to include certain students under supervision of licensed health care providers within the definition of "ambulance service"; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 953—**

BY REPRESENTATIVE MCVEA

AN ACT

To amend and reenact R.S. 33:4303, relative to Gas Utility District No. 1 of West Feliciana Parish; to increase the membership of the board of commissioners of the district; to provide for the appointment and terms of office of board members; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 960—**

BY REPRESENTATIVE FARRAR

AN ACT

To enact R.S. 33:2740.25(D), relative to Rapides Parish and the cities of Alexandria and Pineville; to authorize the governing authorities of Rapides Parish and the cities of Alexandria and Pineville to levy a sales tax on cigarette papers; to provide for the dedication of the proceeds of the tax; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 974—**

BY REPRESENTATIVES ARNOLD AND TUCKER

AN ACT

To enact R.S. 33:4570.21, to create the Algiers Park Commission; to provide relative to the purpose, membership, and powers of the commission; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1023—**

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 32:420, relative to driver's license requirements; to provide for certain exemptions; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1082—**

BY REPRESENTATIVE BURNS

AN ACT

To amend and reenact R.S. 33:102, 106, and 109 and to enact R.S. 33:101(5), 103.1, and 109.1, relative to parish and municipal planning commissions; to provide relative to training requirements of members of such commissions and members of advisory boards to such commissions; to provide relative to master plans adopted by such commissions; to provide relative to the relationship between such master plans and plans of the state and other political subdivisions; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1099—**

BY REPRESENTATIVE R. CARTER

AN ACT

To enact R.S. 22:682, relative to automobile liability insurance; to provide for liability of owners of motor vehicles for certain operators excluded from coverage; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1109—**

BY REPRESENTATIVE T. POWELL

AN ACT

To enact R.S. 33:3892.1, relative to sewerage districts; to provide relative to the powers granted to certain parish sewerage districts; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1147—**

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 9:3198(A), relative to the property disclosure form; to require that it indicate prior zoning; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1184—**

BY REPRESENTATIVES CAZAYOUX, BAYLOR, GLOVER, AND JACKSON

AN ACT

To amend and reenact R.S. 33:2477(4) and (5) and 2537(4) and (5), relative to municipal fire and police civil service; to provide for the length of time within which municipal fire and police civil service boards shall conduct certain investigations; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1313—**

BY REPRESENTATIVE MCDONALD

AN ACT

To enact R.S.33:9033.4, relative to special districts; to create the City of Bastrop Special District; to provide for the powers and duties of the district, including the power to engage in tax increment financing; to provide for the governance of the district; to provide for the boundaries of the district; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1454—**

BY REPRESENTATIVE KENNEY

AN ACT

To enact R.S. 33:4712.10, relative to naming a welcoming center; to authorize the municipal governing authority in certain municipalities to name a welcoming center in honor of a legislator; to provide limitations; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1480—**

BY REPRESENTATIVE FRITH

**AN ACT**

To enact R.S. 9:1254, relative to certain enclosed estates; to provide for the right and servitude of passage on certain waterways; to provide for alternate waterways; to provide for applicability; to provide for clarification of existing law; to provide for application; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1483—**

BY REPRESENTATIVES ALARIO AND TRICHE

**AN ACT**

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1485—**

BY REPRESENTATIVES ALARIO AND TRICHE

**AN ACT**

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2004-2005; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1531—**

BY REPRESENTATIVE M. GUILLORY

**AN ACT**

To amend and reenact R.S. 32:381(A), relative to the height of vehicles; to increase the maximum allowable height of vehicles; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1550—**

BY REPRESENTATIVE HEATON

**AN ACT**

To enact R.S. 32:403.5, relative to drivers' licenses; to provide for the issuance of drivers' licenses to persons using bioptic telescopic lenses; to provide conditions and limitations for licensing; to provide driving restrictions; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1702 (Substitute for House Bill No. 923 by Representative Hebert)—**

BY REPRESENTATIVE K. CARTER

**AN ACT**

To amend and reenact R.S. 22:3074(A), (B), and (D) and 3091(A) and to repeal R.S. 22:3072(D), relative to health insurance; to revise provisions for licensure and examinations of medical necessity review organizations; and to provide for related matters.

The bill was read by title; lies over under the rules.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House****ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

May 12, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 178—**

BY REPRESENTATIVE MARCHAND

**A CONCURRENT RESOLUTION**

To recognize May 17, 2004, as Alpha Kappa Alpha Sorority, Incorporated Day at the Legislature of Louisiana and to commend the organization for its service.

**HOUSE CONCURRENT RESOLUTION NO. 181—**

BY REPRESENTATIVE WALKER

**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of Filmore Paul "F. P." Bordelon, Jr., M.D. of Marksville.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**House Concurrent Resolutions**

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 178—**

BY REPRESENTATIVE MARCHAND

**A CONCURRENT RESOLUTION**

To recognize May 17, 2004, as Alpha Kappa Alpha Sorority, Incorporated Day at the Legislature of Louisiana and to commend the organization for its service.

The resolution was read by title. Senator Boissiere moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President  
Adley  
Amedee  
Bajoie

Dupre  
Ellington  
Fields  
Fontenot

Kostelka  
Malone  
Marionneaux  
McPherson

Barham	Gautreaux, B	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cheek	Gautreaux, N	Lentini
Total—3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 181—**  
BY REPRESENTATIVE WALKER

**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of  
Filmore Paul "F. P." Bordelon, Jr., M.D. of Marksville.

The resolution was read by title. Senator Hines moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boasso	Hainkel	Nevers
Boissiere	Heitmeier	Romero
Cain	Holden	Schedler
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jones	Ullo
Dardenne	Kostelka	
Duplessis	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Gautreaux, N	Jackson
Total—2	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON  
HEALTH AND WELFARE**

Senator McPherson, Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

May 12, 2004

To the President and Members of the Senate:

I am directed by your Committee on Health and Welfare to submit the following report:

**SENATE CONCURRENT RESOLUTION NO. 95—**  
BY SENATOR MCPHERSON AND REPRESENTATIVE DURAND  
**A CONCURRENT RESOLUTION**

To establish a framework for permanent regional health care consortiums designed to continue the work begun by the regional summits called by the governor in 2004.

Reported favorably.

**SENATE BILL NO. 74—**  
BY SENATOR HINES

**AN ACT**

To enact R.S. 37:1285(A)(32) and Part XIX of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.36 through 1299.36.6, all relative to human cloning; to prohibit the expenditure of state funds for the purpose of human cloning; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 124—**  
BY SENATOR MICHOT

**AN ACT**

To amend and reenact R.S. 39:1593.1(A), relative to group purchasing contracts of the Louisiana State University Health Sciences Center; to require certain Louisiana distributors be included in certain group purchasing contracts; to provide for exclusion; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 367—**  
BY SENATOR HINES

**AN ACT**

To amend and reenact R.S. 33:2011(B), relative to health insurance; to provide with respect to the fire department; to provide for the classification of certain types of cancer as occupational diseases or infirmities connected with the duties of a firefighter; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 387—**

BY SENATOR MCPHERSON

**AN ACT**

To enact R.S. 37:935, relative to the practice of registered nursing; to provide authority for registered nurses to administer analgesic doses of anesthetic agents; to provide for the delegation of this authority to licensed practical nurses under certain circumstances; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 408—**

BY SENATOR BAJOE

**AN ACT**

To amend and reenact R.S. 36:251(C)(1) and to enact R.S. 36:258(J), relative to the Department of Health and Hospitals; to create the office of women's health within the department; to specify the purpose and functions of the office of women's health; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 691—**

BY SENATOR JACKSON

**AN ACT**

To amend and reenact R.S. 46:153.3(D)(2)(c) through (s) and to enact R.S. 46:153.3(D)(2)(t), relative to the Medicaid Pharmaceutical and Therapeutics Committee; to provide for changes with respect to who shall be appointed to the committee; and to provide for related matters.

Reported with amendments.

**HOUSE CONCURRENT RESOLUTION NO. 56—**

BY REPRESENTATIVE FAUCHEUX (BY REQUEST)

**A CONCURRENT RESOLUTION**

To amend the Department of Health and Hospitals, Board of Embalmers and Funeral Directors, continuing education rule (LAC 46:XXXVII.709(E)(6)), regarding continuing education credits for instructors of approved courses, and to direct the Louisiana Register to print the amendments in the Louisiana Administrative Code.

Reported favorably.

**HOUSE BILL NO. 698—**

BY REPRESENTATIVES JOHNS AND KATZ

**AN ACT**

To amend and reenact R.S. 37:1212 and to enact R.S. 37:1182(B)(8), relative to the practice of pharmacy; to provide for powers of the board; to provide relative to pharmacy technicians; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1363—**

BY REPRESENTATIVES WINSTON, MARTINY, BURNS, R. CARTER, DOERGE, DURAND, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HUNTER, KATZ, LABRUZZO, MARCHAND, McDONALD, MONTGOMERY, STRAIN, WADDELL, WALKER, SCHNEIDER, AND THOMPSON AND SENATORS MOUNT, CRAVINS, JONES, AND LENTINI

**AN ACT**

To amend and reenact R.S. 46:1941.1, 1941.2, 1941.5, and 1941.8 and to repeal R.S. 46:1941.3(1), 1941.4, 1941.6, 1941.7, 1941.9 through 1941.13, relative to youth services; to provide for the creation of youth services planning boards; to provide for the purpose of such boards; to provide with respect to membership; to repeal provisions of law providing for parish youth services programs; to repeal provisions providing for parish youth services subsidy program; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
JOE MCPHERSON  
Chairman

**REPORT OF COMMITTEE ON**

**COMMERCE, CONSUMER PROTECTION AND  
INTERNATIONAL AFFAIRS**

Senator Hollis, Chairman on behalf of the Committee on Commerce, Consumer Protection and International Affairs, submitted the following report:

May 12, 2004

To the President and Members of the Senate:

I am directed by your Committee on Commerce, Consumer Protection and International Affairs to submit the following report:

**SENATE BILL NO. 472—**

BY SENATOR DARDENNE

**AN ACT**

To enact Chapter 59 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:3611 through 3617, and to repeal Chapter 6 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:941 through 1127, and R.S. 42:1119(C)(3), relative to marine pilots; to create the Louisiana River Pilot Commission; to provide for laws regulating such occupation; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 586—**

BY SENATOR DARDENNE

**AN ACT**

To amend and reenact R.S. 32:1254(N)(3)(f)(i) and (iv) and to enact R.S. 32:1253.1 and 1254.2, relative to motor vehicles; to authorize the Motor Vehicle Commission to render advisory opinions relative to the distribution and sale of motor vehicles; to provide a procedure for applying to the commission for an advisory opinion and for declaratory orders; to provide relative to sales conditioned on financing; to provide certain requirements for suppliers of mechanical repairs and services for motor vehicles; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 332—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:1087(B)(1) and (C), relative to the residential mortgage lenders; to provide for an exemption from licensure and continuing education requirements for employees and exclusive agents of direct or indirect subsidiaries of holding companies; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 704—**

BY REPRESENTATIVES BRUNEAU AND MURRAY

AN ACT

To amend and reenact R.S. 37:848(D)(2) and (3) and to enact R.S. 37:848(D)(7), relative to embalming; to allow for refrigeration of remains by funeral establishments; to provide an exception from embalming; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 764—**

BY REPRESENTATIVES BRUNEAU AND MURRAY

AN ACT

To amend and reenact R.S. 37:845 and 875, relative to fees imposed by the Louisiana State Board of Embalmers and Funeral Directors; to increase fees for licensure; to add fees for work permits; to add fees for inspections; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1401—**

BY REPRESENTATIVE JOHN SMITH

AN ACT

To amend and reenact R.S. 37:1800(A) and to repeal R.S. 37:1800(D), relative to maturity dates for pawn transactions; to decrease the maturity date for jewelry pledged in all pawnshops; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
KEN HOLLIS  
Chairman

**REPORT OF COMMITTEE ON**

**SENATE AND GOVERNMENTAL AFFAIRS**

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 12, 2004

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

**SENATE RESOLUTION NO. 18—**

BY SENATOR LENTINI

A RESOLUTION

To amend and readopt Senate Rule No. 10.9 of the Rules of Order of the Senate, relative to referral of resolutions calling for the election of certain officers of the Senate; and to delete the requirement of referral to committee.

Reported favorably.

**SENATE BILL NO. 23—**

BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 4:144, relative to the Louisiana State Racing Commission; to increase the at-large membership of the commission; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 479—**

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 42:1119(B)(2)(b)(i), relative to nepotism; to provide that a licensed physician or registered nurse who is an immediate family member of a hospital service district board or authority member may be employed by such hospital service district based on population; to increase the population limits; to provide for recusal; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 577—**

BY SENATOR MCPHERSON

AN ACT

To amend and reenact the introductory paragraph of R.S. 42:1102(22)(a), relative to the Code of Governmental Ethics; to revise the definition of thing of economic value; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 621—**

BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 15:1202(A)(introductory paragraph), 1204.1(A) and (B)(11), R.S. 36:4(A) and 401(B)(2) and (4) and (C)(1), and 405(A)(1)(c), R.S. 39:21.3(D)(1) and (3), and R.S. 46:2602(B)(3); to enact R.S. 11:601.1 and 711, R.S. 15:1202(A)(27), 1228.2(10), and 1228.3(14), and Chapter 4 of Title 36 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 36:151 through 159, and R.S. 39:21.3(D)(2)(f); to repeal R.S. 36:408(H); and to amend certain provisions if and as amended and reenacted by the Act which originated as Senate Bill No. \_\_\_\_ of this 2004 Regular Session of the Legislature, to provide relative to children, youth, and families services; to create and provide for the Department of Children, Youth and Families; to provide for the structure, organization, and functions of the department and its offices; to provide for the powers, duties, functions, and responsibilities of department officers; to provide relative to membership and functions of related boards, commissions, and like entities; to provide for the transfer of agencies into the department and the powers, duties, function, and responsibilities thereof and of the

department officers relative thereto; to provide for implementation; to provide for effective dates; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 676—**  
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 38:2212.3, relative to public contracts; to provide for bids; rejecting all bids domiciled outside the United States; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 702—**  
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 43:19, 24(B) and (C), and 87(A) and to enact R.S. 43:19.1, relative to official journals; to provide that certain requirements for publication in such journals shall not apply if such publications are accessible on the official Internet web site or portal of the Louisiana State Legislature; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 716—**  
BY SENATOR HAINKEL

AN ACT

To enact R.S. 1:58.3, relative to state holidays; to establish Ronald Reagan Day as an annual observance; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 723—**  
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 42:1113(A) and to enact 42:1112(E), relative to hospital service districts; to provide with respect to participation in certain transactions and prohibited contractual arrangements for physicians appointed to boards of hospital service districts; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 20—**

BY REPRESENTATIVES SHEPHERD, ALARIO, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BROOME, BRUCE, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CROWE, CURTIS, DANIEL, DARTEZ, DOERGE, DORSEY, DURAND, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HEATON, HEBERT, HILL, HONEY, HUDSON, HUNTER, JACKSON, JEFFERSON, JOHNS, LAFLEUR, MARCHAND, MCDONALD, MONTGOMERY, MORRELL, MURRAY, ODINET, PIERRE, PINAC, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, JACK SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, WALKER, AND WINSTON AND SENATORS ADLEY, BAOJIE, BOISSIERE, CRAVINS, DUPLESSIS, IRONS, AND JACKSON

AN ACT

To amend and reenact R.S. 1:55(B)(1)(a) and (2), relative to legal holidays observed by the departments of the state; to provide that Dr. Martin Luther King, Jr.'s birthday shall be a state legal holiday; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1015—**

BY REPRESENTATIVES LANCASTER, BROOME, HAMMETT, SALTER, AND THOMPSON

AN ACT

To amend and reenact R.S. 24:56 and 56.1 and to enact R.S. 18:1505.2(Q), (R), and (S) relative to campaign finance; to prohibit certain persons from accepting certain campaign contributions during certain legislative sessions; to prohibit the governor from accepting certain campaign contributions during certain legislative sessions and for a certain time period thereafter; to prohibit statewide elected officials and public service commissioners from receiving campaign contributions during certain legislative sessions; to prohibit a legislator from accepting certain campaign contributions during certain legislative sessions; to prohibit a legislator from soliciting certain campaign contributions during certain legislative sessions; to prohibit the offer or providing of certain campaign contributions to a legislator during certain legislative sessions; to provide relative to notice of certain fundraising functions; to provide for penalties and enforcement; to provide exceptions; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

**Message from the House**

**SIGNED HOUSE BILLS AND  
JOINT RESOLUTIONS**

May 12, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 1011—**

BY REPRESENTATIVE JOHNS

AN ACT

To repeal Section 2 of Act 1005 of the 2003 Regular Session, relative to the terms of options and rights of first refusal relating to the sale of immovable property; to repeal provisions of Act 1005 of the 2003 Regular Session providing for retroactive application to claims existing or actions pending; to provide for prospective application of Act 1005; to provide for applicability of this Act; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

### Message from the House

#### SIGNED HOUSE CONCURRENT RESOLUTIONS

May 12, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

#### HOUSE CONCURRENT RESOLUTION NO. 165— BY REPRESENTATIVES CROWE AND SCHNEIDER AND SENATORS BOASSO AND SCHEDLER

##### A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of The Honorable Gary Dragon, Judge of the City Court of Slidell.

#### HOUSE CONCURRENT RESOLUTION NO. 167— BY REPRESENTATIVE SMILEY

##### A CONCURRENT RESOLUTION

To commend the St. Amant High School softball team upon winning their third consecutive Class 5A state championship.

#### HOUSE CONCURRENT RESOLUTION NO. 168— BY REPRESENTATIVES HUNTER, DORSEY, BADON, BAYLOR, BROOME, BURRELL, K. CARTER, CURTIS, GALLOT, GLOVER, GRAY, E. GUILLORY, HONEY, JACKSON, JEFFERSON-BULLOCK, MARCHAND, MORRELL, MURRAY, PIERRE, QUEZAIRE, RICHMOND, SHEPHERD, AND SALTER AND SENATORS BAJOIE, BOISSIERE, CRAVINS, DUPLESSIS, FIELDS, HOLDEN, IRONS, JACKSON, AND JONES

##### A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of the Honorable Charles I. Hudson and to recognize his enduring legacy of dedicated and highly effective public service.

#### HOUSE CONCURRENT RESOLUTION NO. 171— BY REPRESENTATIVE TOOMY

##### A CONCURRENT RESOLUTION

To commend Beauregard H. Miller, Jr. upon the celebration of the twenty-fifth anniversary of his selection as police chief of Gretna.

#### HOUSE CONCURRENT RESOLUTION NO. 173— BY REPRESENTATIVES ANSARDI, LABRUZZO, AND LANCASTER AND SENATORS HAINKEL AND LENTINI

##### A CONCURRENT RESOLUTION

To commend Sister Imelda, Principal of St. Catherine of Siena School in Metairie upon her retirement.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

### Privilege Report of the Committee on Senate and Governmental Affairs

#### ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 12, 2004

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bills have been properly enrolled:

#### SENATE BILL NO. 53— BY SENATOR SMITH

##### AN ACT

To amend and reenact R.S. 9:334(A)(4), relative to child custody; to provide relative to the qualifications of mediators in such proceedings; to expand the authorization for judges meeting certain criteria to serve as such mediators to include all judges of the state; and to provide for related matters.

#### SENATE BILL NO. 65—

BY SENATORS FIELDS, AMEDEE, BAJOIE, CAIN, CHAISSON, DUPLESSIS, B. GAUTREAUX, N. GAUTREAUX, HINES, JACKSON, KOSTELKA, NEVERS AND ROMERO AND REPRESENTATIVES BOWLER, ALARIO, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOUIN, BAYLOR, BROOME, BRUCE, BURRELL, K. CARTER, R. CARTER, CURTIS, DANIEL, DARTEZ, DORSEY, DURAND, FANNIN, FRITH, GALLOT, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, JACKSON, JEFFERSON, KENNEY, LAFLEUR, MARCHAND, MARTINY, McDONALD, MONTGOMERY, MORRELL, MURRAY, PINAC, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SHEPHERD, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAINE, THOMPSON, TOWNSEND, WADDELL, WALKER, WINSTON, AND WRIGHT

##### AN ACT

To amend and reenact Civil Code Articles 90, 891, 1243, 1352, 1724, and 3506(8); Code of Civil Procedure Articles 683(B) and (C), 732(B) and (C), 1732(3) and 4061.1(A)(3) and (C); Children's Code Articles 1106(A), (B), (C), and (D), 1107.5(E)(3)(a), 1132(A), 1141(A)(3), 1193(2) and (4), 1244(B) and (C), and 1281.3(5); Code of Evidence Articles 803(9), (11), and (19), and 804(B)(4)(a); R.S. 9:392(B), 398.2(A)(2) and (F), and 400(A)(6); R.S. 11:403(19), 701(19), 1732(20), 2178(E)(3), 3113(5)(a) and (b), and 3166(E)(2), R.S. 13:2561.4, 2562.4, and 2563.2(B), R.S. 14:78(B), R.S. 17:1685(F), R.S. 23:1021(3), R.S. 29:293(A), R.S. 33:1947(C)(2), R.S. 40:34(B)(1)(a)(iv) and (vii), (B) (1)(h)(vi), and (E)(1), 40(8) and (11), 41(B), 46(A), 46.1(B)(2), and R.S. 46:1802(3); and to repeal R.S. 9:391, 9:400(A)(5), and R.S. 13:914.1, all relative to the status of children; to provide for the change in terminology from "illegitimate child" to "child born outside of marriage" and from

"legitimate child" to "child born of marriage"; to provide for the definition of terms; to provide for the correction of cross-references; and to provide for related matters.

**SENATE BILL NO. 119 (Duplicate of House Bill No. 1446)—**  
BY SENATOR MCPHERSON AND REPRESENTATIVE JOHN SMITH  
AN ACT

To amend and reenact R.S. 37:2504(G), relative to the Louisiana Board of Examiners of Nursing Facility Administrators; to authorize the board to purchase property and office space and to incur debt in such purchase; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 506—**  
BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES ALARIO AND SALTER  
AN ACT

To amend and reenact R.S. 17:421.7(A), relative to the Support Education in Louisiana First Fund; to provide monies remaining in the fund to retain their allocation as provided by law; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 524 (Duplicate of House Bill No. 592)—**  
BY SENATOR HEITMEIER AND REPRESENTATIVE ALARIO AND COAUTHORED BY SENATOR HINES AND REPRESENTATIVE SALTER  
AN ACT

To amend and reenact R.S. 33:108, 131, 135(1)(introductory paragraph) and (2), and 136, R.S. 38:90.4(B)(1) and (2), R.S. 39:21.3(A)(2)(b), (B)(2)(b), (C)(2)(b), (D)(2)(b), (E)(2)(b), and (F)(2)(b), and R.S. 56:1845(C), 1846(A), and 1849(B), all relative to the state planning office/division of administration; to provide with respect to the organization of the division of administration; to correct references to the state planning office; and to provide for related matters.

**SENATE BILL NO. 540 (Duplicate of House Bill No. 760)—**  
BY SENATOR CAIN AND REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 22:691.2(A), relative to standard fire policy; to provide for coverage for peril of fire; and to provide for related matters.

**SENATE BILL NO. 629—**  
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 43:111(C), relative to prohibitions on and authorizations for expending public funds for advertising by public agencies; to authorize the Board of Regents to expend such funds to advertise to promote Master Plan goals and promote service and programs offered by learning centers; and to provide for related matters.

**SENATE BILL NO. 726 (Duplicate of House Bill No. 1320)—**  
BY SENATOR HOLLIS AND REPRESENTATIVE PINAC AND COAUTHORED BY SENATOR HOLDEN  
AN ACT

To amend and reenact R.S. 51:2378(A) and the introductory paragraph of (B), 2382(B)(1), (2), (5), (6), and (7), and 2383(C), and to enact R.S. 51:2378(B)(14) and (15), (C)(15) and (16), and 2381(C), and 2383(A)(13), (14), (15), (16), (17), (18), (19), (20), (21), and (22), relative to the Louisiana Economic Development Council; to increase the membership of the council; to provide for reports by the council to the legislature;

to appoint certain subcommittees of the council; to increase the cabinet advisory group on economic development; and to provide for related matters.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

**Privilege Report of the Committee on  
Senate and Governmental Affairs**

**ENROLLMENTS**

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 12, 2004

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly enrolled:

**SENATE CONCURRENT RESOLUTION NO. 97—**  
BY SENATOR HINES

A CONCURRENT RESOLUTION

To declare May 11, 2004 as "Rural Hospital Day."

**SENATE CONCURRENT RESOLUTION NO. 98—**

BY SENATORS HINES, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HAINKEL, HEITMEIER, HOLDEN, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVES ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, GEYMAN, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAINE, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON AND WRIGHT

A CONCURRENT RESOLUTION

To offer the heartfelt condolences of the members of the Louisiana Legislature to the family of Charles I. Hudson on the death of this highly respected and much beloved colleague.

**SENATE CONCURRENT RESOLUTION NO. 99—**  
BY SENATORS HAINKEL AND LENTINI

**A CONCURRENT RESOLUTION**

To commend Sister Imelda Moriarty on the occasion of her retirement as principal of St. Catherine of Siena School in Metairie.

**SENATE CONCURRENT RESOLUTION NO. 100—**  
BY SENATOR MCPHERSON

**A CONCURRENT RESOLUTION**

To commend Grady Gaines on sharing his music, and his musical talents throughout Louisiana.

**SENATE CONCURRENT RESOLUTION NO. 101—**

BY SENATORS HAINKEL, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLDEN, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVES ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, GEYMAN, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAINE, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON AND WRIGHT

**A CONCURRENT RESOLUTION**

To express the sincere and heartfelt condolences of the Legislature of Louisiana on the death of former state Representative Benjamin Franklin "B.F." O'Neal, Jr.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

**Message to the Governor**

**SIGNED SENATE BILLS**

May 12, 2004

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

**SENATE BILL NO. 341 (Duplicate of House Bill No. 528)—**  
BY SENATORS CHAISSON AND REPRESENTATIVE FUTRELL AND COAUTHORED BY SENATOR SCHEDLER  
**AN ACT**

To amend and reenact R.S. 32:300(A), (B)(3)(b), (D) and (E) and to enact R.S. 32:300(F), relative to alcoholic beverages; to prohibit any passenger in a motor vehicle from possessing an open

alcoholic beverage container; to prohibit a passenger from consuming an alcoholic beverage in the passenger area; to provide for exceptions; to provide relative to enforcement; to provide relative to the authority of local governments; and to provide for related matters.

**SENATE BILL NO. 342 (Duplicate of House Bill No. 709)—**  
BY SENATOR CHAISSON AND REPRESENTATIVE MARTINY  
**AN ACT**

To amend and reenact R.S. 27:302(E), relative to the Video Draw Poker Devices Control Law; to remove mandatory requirement that devices accept coins in the amount of the minimum wager offered by that device; to remove mandatory requirement that a video draw poker device provide one game for each coin of the minimum denomination deposited in that machine; and to provide for related matters.

**SENATE BILL NO. 400 (Duplicate of House Bill No. 876)—**  
BY SENATOR MARIONNEAUX AND REPRESENTATIVE TOWNSEND  
**AN ACT**

To amend and reenact R.S. 47:9004(B)(1), relative to the Louisiana Lottery Corporation; to provide with respect to the board of directors; to provide for rules of appointment; and to provide for related matters.

**SENATE BILL NO. 467—**  
BY SENATOR FONTENOT  
**AN ACT**

To enact R.S. 30:2025(H), relative to environmental quality; to provide a limitation on the time within which actions, suits, or proceedings for the assessment or enforcement of any civil fine or penalty may be instituted; and to provide for related matters.

**SENATE BILL NO. 503—**  
BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES ALARIO AND SALTER  
**AN ACT**

To amend and reenact R.S. 39:330.1(A) and to enact R.S. 39:321(E), (F), (G), and (H), relative to state property control; authorizes the state to sell surplus movable property through the use of certain electronic technology; and to provide for related matters.

**SENATE BILL NO. 504—**  
BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES ALARIO AND SALTER  
**AN ACT**

To amend and reenact R.S. 36:8(B)(1) and to enact R.S. 36:8(B)(2)(f), relative to fiscal oversight and program evaluation; to provide for certain annual reporting requirements; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 505—**  
BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES ALARIO AND SALTER  
**AN ACT**

To amend and reenact R.S. 39:98.3(A), relative to certain funds derived from the tobacco settlement; to provide with respect to actual earnings from interest, dividends, and capital gains in the Millennium Trust; and to provide for related matters.

May 12, 2004

**SENATE BILL NO. 508—**

BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES  
ALARIO AND SALTER

**AN ACT**

To amend and reenact R.S. 39:99.5(C), relative to the Tobacco  
Settlement Financing Corporation; to provide relative to  
meetings of the board; and to provide for related matters.

**SENATE BILL NO. 509—**

BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES  
ALARIO AND SALTER

**AN ACT**

To enact R.S. 42:461, relative to payroll withholdings; to provide for  
payment of employee compensation; to provide for an effective  
date; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**Leaves of Absence**

The following leaves of absence were asked for and granted:

N. Gautreaux     ½ Day

**Adjournment**

Senator Bajoie moved that the Senate adjourn until Thursday,  
May 13, 2004, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until  
1:30 o'clock P.M. on Thursday, May 13, 2004.

GLENN A. KOEPP  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk